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ELLERY QUEEN'S Mystery Magazine

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a new story by

EDITORS' FILE CARD

AUTHOR:	**HUGH PENTECOST**
TITLE:	***The Unpunishable Murder***
TYPE:	Crime Story
LOCALE:	Rome, Italy
TIME:	The 1890s and today
COMMENTS:	*The old Contessa tells the brilliant American lawyer about a perfect crime—so perfect that more than sixty years later the murderer still walks the streets of Rome . . .*

BRANDON WAS IN HIGH SPIRITS. After four long and bitter months away from home and country, involved in the unfamiliar intricacies of the Italian courts, the case was over and he had won what everybody conceded to be a brilliant victory. Joe Malzone would be deported to America, to die there in the electric chair. Tomorrow Brandon would be on a plane for New York. He might well have been expected to be out on the town, celebrating, but he owed the Contessa a great deal and he had, without regret, decided to spend his last evening in Rome with her.

The Contessa had made these four months in Italy bearable. He had come and gone as if her home were his own. The Contessa and her ancient maid, Seraphina, had been miracles of courtesy and almost psychic efficiency. It seemed that in all these weeks he had not once begun to think of something he might want without finding his wish anticipated.

The Ambassador had made arrangements for him to stay at the Contessa's home while the trial was in progress.

"She is an amazing woman," the ambassador had told Brandon. "She is pressing ninety, yet she is still beautiful and somehow still very female. She is a great lady. There is only one thing. Sometimes during your stay, since you are a

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lawyer, she will ask you for legal advice. She has been asking for help for sixty years without results. When the moment comes, I suggest that you listen with patience. She has lived with this tragedy all her life."

On this final evening Brandon dined with the Contessa and, as usual, the dinner was perfect. He thought, casually, that the Ambassador had been wrong. Not once in the four months had the Contessa's legal problem been mentioned. But tonight there was a variation in the regular routine. After the demitasse and liqueurs had been served, Seraphina disappeared—instead of hovering in the shadows of the room. The Contessa's house was wonderfully modern, but at dinner they always ate by candlelight. The old woman was not unaware that the softer light was kind to her.

"Well, you have won a great victory, Signor Brandon," she said. She took a cigarette from the silver box on the table and Brandon held his lighter for her. "There are many who thought a victory was impossible, that you were dealing with a perfect crime."

"There is no such thing as a perfect crime, Contessa," Brandon said. "Everything we do, every action we take in life, leaves some sort of trail. If we have the wit to look in the right place, the record of any crime is there to be found."

The Contessa leaned her head against the high back of her chair. Her pale-blue eyelids shielded her eyes from the candlelight. "I would like to tell you of a perfect crime," she said. "A murder. And after more than sixty years the murderer still walks the streets of this city, still free as air. Perhaps—perhaps you might have a legal suggestion."

"I should be glad to help if I can," Brandon said. Here it was, he thought. Well, to listen was little enough in the way of repayment for four months of extraordinary hospitality.

"I do not know how familiar you are with Italian history," the Contessa said. "But in the eighteen-nineties we suffered our most humiliating disaster. You have heard of Menelek?"

"Emperor of Abyssinia, King of Kings of Ethiopia," Brandon said.

"In 1889 he signed a treaty with the Italian government acknowledging their claims to the Asmara district," the Contessa went on. "But afterwards he discovered that according to Italian view the treaty placed his entire empire under Italian domination. So Menelek denounced the treaty. And we were at war. It was a war we lost, Signor Brandon, after six terrible years. Menelek's army was made up of savage tribesmen. It was not a war of guns and maneuvers; it was a war of reprisals of the most horrible kind. Italian soldiers were not simply shot in battle; they were tortured, mutilated. Some were staked

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out in the sand, their eyelids cut off so that they were forced to stare into the blinding sun while insects devoured them. Some had their eyes gouged out, some had their tongues cut out. Menelek's men took no prisoners. A few of the mutilated escaped and were brought home. The Italian people were horrified. What did we want of Menelek's sandy Empire? But the war persisted. The people are never told what it is the statesmen are really after. There began to be riots as new troops were sent from the city to the horrors of the desert."

The Contessa's cigarette had gone out and she placed it in the ashtray beside her. Her fine old voice had an edge of bitterness that made the small hairs rise on the back of Brandon's neck.

"There is always a gay side to war," the Contessa resumed. "There are parties and dancing and music and singing—and lovemaking. In 1895, when the war was a year away from its end, there lived in this city two sisters, Lizabetta and Marianna. Their parents were dead and they were wealthy and lived together in a fine house. Their home was a gathering place for artists, musicians, writers, and for the gallant young officers who would soon go to their sunlit deaths at the hands of Menelek's savages. The subject of the war was taboo. There was only gaiety at the home of the two sisters.

"These were very different women, these two. They were both beautiful and talented, but Lizabetta was warm, generous, loving—all woman. Marianna was brilliant, cold, and greedy. She wanted to possess for the sheer joy of possessing. Men flocked around her like drones to the queen bee. She did not love them but she loved their adulation. Her secret delight was to steal Lizabetta's admirers. Thus it was that she became concerned with Captain Rinaldi.

"Rinaldi was dark and handsome, full of dash and fire. He came to the home of the sisters with brother officers and he became a regular visitor. It was at first uncertain whether it was Lizabetta or Marianna who attracted him more. Marianna meant to make sure. She had no doubt she could win him if she chose. Actually, she waited until it became clear that Lizabetta was his choice before she made her own moves to steal him for herself. It made the game more exciting. But she waited too long, for Rinaldi, a man of the world, a sophisticate, was suddenly as desperately in love with Lizabetta as the rawest adolescent. He worshipped her, he wept over her in secret. And Lizabetta—Lizabetta returned his love. Marianna professed pleasure in this love affair, but secretly she schemed. And Lizabetta played into her hands.

"Rinaldi's regiment was due to be called very soon. Lizabetta did a

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daring thing for her time in history. She volunteered to go to Abyssinia with Rinaldi's regiment as a nurse. They knew, these two, without putting it into words, that Rinaldi's chance of returning home was very small. Officers did not return—they were the special victims of Menelek's torturing soldiers. Lizabetta and Rinaldi knew that this was their fate and that there was very little time for them to be together. Lizabetta was determined to be with Rinaldi to the end.

"Now Rinaldi had gained a little special fame. He had been at the railway station one day when a regiment was leaving. Civilians had stormed the gates as the troops were ready to leave, threatening a serious riot. Rinaldi had harangued them, soothed them, restored their sense of patriotism. The riot had been averted — Rinaldi's golden tongue had turned the trick. The people had listened to him because they knew that he too would soon be following their loved ones. He had spoken from the heart. He had spoken as a man who would soon share their horrors.

"Marianna laid her plans. Secretly she hated Lizabetta for having won Rinaldi. It was now irrevocable that Lizabetta would go with the regiment. It was Marianna's scheme to see to it that Rinaldi would stay behind—in Italy. What irony! And in the end Rinaldi would turn to Marianna to make up for the loss of Lizabetta.

"So Marianna paid a secret visit to Colonel Scalzi, the commander of the region. Scalzi was an administrator, not a leader. He was a bitter man—a gambler who gambled without the funds he needed.

" 'But I cannot keep Captain Rinaldi here,' he told her.

" 'If all your debts were paid and your future economic difficulties removed?' Marianna asked, smiling her lovely smile.

" 'Not even then,' Scalzi said. 'Rinaldi is a fine officer, a patriot, a born leader. I would have no reason to justify such an order—even if I chose to give it.'

" 'You have daily riots on your hands, Colonel,' Marianna reminded him. 'Who has shown he can deal best with the rioters? Rinaldi! What more justification do you want?'

"Scalzi squirmed in his chair. 'If you asked for your sister—'

" 'I ask for Rinaldi,' Marianna said sharply. 'If the money is not enough—'

" 'I will think,' Scalzi said. 'I will think.' Money! Security! Luxury! Marianna went away content. The more he thought, the more Scalzi would be tempted.

"That night Marianna was awakened by a strange sound outside her windows, a swishing, flapping, shuffling noise she had never heard before. She threw on a robe and went to the window. A regiment was marching past, *marching barefoot* so the rioting crowds would

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not be warned! It was a strangely grotesque sight and sound. Suddenly a figure detached himself from the marching men, a barefoot officer, who came to the very door of Marianna's house. It was Rinaldi A moment later Lizabetta joined him, dressed in her nurse's uniform, and they went off together—together with the silently marching men.

"In a panic Marianna dressed and hurried to the station. It had happened too soon! Scalzi had not had time to 'think.' Her plans had gone wrong.

"But so had Scalzi's. Despite that barefoot march the people had heard the rumor and the station was jammed with muttering civilians. Marianna, unable to get to the main floor of the station, had found a place on a little balcony where she could watch. Soldiers said goodbye to their relatives, weeping, attempting to embrace through the iron bars that separated them from the civilians. Marianna saw Rinaldi and Lizabetta. They clung together, even though they were not yet to be separated. The angry mutter of the crowd grew louder.

"Suddenly Rinaldi tore himself away from Lizabetta, stood on a small baggage truck, and again harangued the people. At first they snarled at him and cried out their anger and despair, but in the end he had them cheering—and singing patriotic songs. The crisis was past.

"Watching, Marianna saw an officer approach Rinaldi and hand him a paper. Her heart began to pound. She could not hear words, but she saw that Rinaldi was protesting violently. The officer was coldly adamant. Rinaldi waved his arms and shouted. Then suddenly he ran to Lizabetta and they were locked in each others arms. Even at a distance Marianna could see that they were weeping.

"Orders were shouted. The troops began to climb aboard the waiting train. At last someone separated Rinaldi and Lizabetta—literally wrenched them apart. Lizabetta was taken to the train. Rinaldi was forcibly held back. Marianna, watching from the balcony, smiled her secret pleasure. Scalzi had had time to 'think' after all.

"The engine whistle gave its warning blast. Slowly the train began to move. And as it moved another sound rose above it—the enraged voices of the crowd on the other side of the gate.

"'Coward!' they shouted. 'Traitor! Double dealer!'"

"It was Rinaldi they shouted at—Rinaldi who had talked them into submission. Rinaldi, the brave, who was going to face the same horrors as their sons and husbands. Only Rinaldi was not going!"

The Contessa's eyes were closed and her finely veined old hands gripped the arms of her chair. "And so the train pulled slowly away, and Lizabetta, leaning from a win-

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dow of the last carriage, watched the weeping Rinaldi. And then it happened. The crowd, surging against the iron gates, burst through. They were too late to reach the train—but they fell on Rinaldi like a pack of wolves. There, before Lizabetta's eyes—and Marianna's—they tore him to pieces like children destroying a rag doll. He was dead within seconds—a mangled mass, the torn remnants of a brave and gallant soldier." The Contessa was silent for a moment. "He was not the only victim. Colonel Scalzi and others tried to save him. They were beaten and trampled. In the end there were two dead and many severely hurt. The dead were Rinaldi and Colonel Scalzi."

After a moment or two Brandon spoke. "The Colonel got what was coming to him."

The Contessa nodded. "But Marianna? Marianna who was guilty of murder?"

"Yes, she was a cold-blooded murderess," Brandon said, nodding. "And what of Rinaldi's regiment?"

"There were no survivors," the Contessa said dully. "A few months later Italy signed the papers of capitulation to Menelek at Adowa. That was sixty-two years ago, Signor Brandon. In all that time I have tried to bring the murderess to justice. I have applied to the courts, and they have turned me away. At worst, they say, it was an attempt at bribery, and the bribe hadn't actually been paid. Scalzi was dead before Marianna could live up to her end of the bargain. I even had an audience with the King. And later the fascisti would not listen to me. Would you not call that a perfect crime, Signor?"

"Morally, yes," Brandon said, reaching for his brandy glass. "Criminally I am afraid the courts have given you the only possible answer." He sipped his brandy. "You said there were no survivors of Rinaldi's regiment. But you," he said gently, "you did survive."

The Contessa lifted her pale-blue eyelids and looked at him steadily. "You have misunderstood, Signor," she said. "There were no survivors. You see, my name is Marianna."

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a new story by

EDITORS' FILE CARD

AUTHOR:	**BRETT HALLIDAY**
TITLE:	***Second Honeymoon***
TYPE:	Detective Story
DETECTIVE:	Sergeant Gleason
LOCALE:	United States
TIME:	The Present
COMMENTS:	*Do you ever think of a detective as the man living next door, a flesh-and-blood human being with personal problems, with personal tragedies? Tom Burton was a detective—he was also a man and a husband.*

SERGEANT GLEASON PRETENDED NOT to notice the long florist's box under Tom Burton's arm as he leaned over to unlatch the car door for the young detective. Instead, he asked casually, "Coming out to Ted's for a spot of penny ante tonight?"

Burton got in beside him and glanced down at the cardboard box on his knees. He shook his head and his blue eyes crinkled at the corners. "You boys will have to find another sucker from now on."

Gleason wheeled out of the parking lot. It was twilight and the two police officers had just come off the afternoon shift. Gleason slid into the line of evening traffic and asked, "Want me to drop you at your house?"

Tom Burton relaxed with a boyish grin. "Yep. Everything's quiet on the home front again. You must have guessed that Leona and I have been on the outs lately."

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Gleason nodded. "I knew something was wrong when you began going out with the boys again."

"We're starting fresh tonight—sort of a second honeymoon." Burton lifted the box of flowers. "These are a surprise. Leona insisted this morning that I play poker tonight. She doesn't expect me home till after midnight."

Sergeant Gleason kept his eyes on the line of traffic ahead. "I'm glad you've patched things up. I always thought Leona was too good for the likes of you."

Burton nodded with a chuckle. "I guess the first year's always the hardest. Drop me off at the next corner."

"I'll take you on to the house. It's just a couple of blocks."

Burton shook his head. "It's only eight o'clock. I'll wrap myself around a couple of drinks first. Join me?"

"That's no way to start a second honeymoon."

"Leona won't be home till after nine," Burton explained. "She has choir practice Thursday nights. That's why she wanted me to go on out to Ted's tonight. Right here," he added, as they approached a small bar-and-grill in the middle of the block. He got out and tucked the florist's box carefully under his arm. "Tell the guys I'm sorry they haven't anything better to do than play poker."

An hour and a half later Sergeant Ira Gleason and four fellow-officers were deep in a game of stud poker in Ted Whalen's living room when the telephone rang. Whalen answered it. Gleason was dealing and he paid no attention to the brief conversation behind him until his host dropped the receiver.

"Ira! That was Tom Burton. You'd better get out there fast."

"Burton? But—"

"It's his wife. Tom says she's been murdered."

It took the detective sergeant less than fifteen minutes to reach the neat Burton bungalow on its tree-lined side street. A radio prowl-car already stood in front of the brilliantly lighted house. An ambulance came screaming up as Gleason leaped out.

The sergeant reached the living room before the police surgeon and the intern. A patrolman blocked the doorway leading to the two rear bedrooms. Tom Burton was slumped in a chair at the other end of the living room, his face buried in his hands.

Gleason went to the younger man, spoke quietly. Burton lifted his head. Tears were in his eyes. "Ira! It's Leona. She's . . ."

Gleason gripped Burton's shoulder. "Keep hold of yourself, Tom." He went past the patrolman into the front bedroom.

It was a large, pleasant room with pink walls and oyster-white drapes at the windows. The ceiling fixture

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was lit up, dimming the flickering flames of two tall candles in silver holders on a small table at the foot of the bed.

The surgeon and intern were stooping over the nude body of Leona Burton. She was stretched out on the pink silk bedspread. A slender, small-boned woman of about twenty-five, her flesh was wax-white. All but her face – the belt of a green silk dressing gown was twisted tightly about her neck. The gown itself had been tossed carelessly to the floor.

In life, Leona Burton had possessed a sort of intense, spiritual beauty. In death, she was ugly. Sergeant Gleason averted his eyes.

On the table at the foot of the bed, between the two candles, lay a leather-bound Bible. It was open at Chapter 18 of the Book of Revelations, and several verses were underlined with pencil.

He read the marked passages:

"For her sins have reached unto heaven, and God hath remembered her iniquities."

"And the fruits that thy soul lusted after are departed from thee, and all things which were dainty and goodly are departed from thee, and thou shalt find them no more at all."

Sergeant Gleason read the marked lines disbelievingly, while the candle flames flickered on either side of the open Book and a vision of Leona's face danced before his eyes, half obscuring the printed words.

The matter-of-fact voice of the police doctor speaking from the head of the bed brought the sergeant back to reality: "She's been dead about half an hour. I find no other bruises on her body. The belt was tightly knotted around her throat from behind and death from strangulation resulted."

Gleason looked down at the Bible again. Then he went back into the living room. Captain Thompson, in charge of Homicide, had just arrived with his specialists.

Thompson glanced at the hunched figure of Tom Burton and raised his eyebrows. "What goes, Sergeant?"

"Tom called me at my poker game." Gleason stood aside to let the photographer and fingerprint men go past. Then he crossed swiftly to his friend's side and said, "All right, Tom. I've seen the setup in the bedroom. Give us everything–fast."

Tom Burton lifted his head dully. "I chased the murderer down the street, Ira. Before I actually knew..." He rounded a fist into an open palm. "I was a couple of minutes too late to save her. If I hadn't stayed for that last drink..."

Gleason shook him. "Ifs aren't any good now. We need facts."

Burton made two fists, fighting for self-control. "I left the bar down the street at exactly nine ten. I know because I was watching the clock. I expected Leona home from choir practice about nine thirty, and

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I wanted to get the flowers arranged in a vase first. You know ... The roses ..."

Gleason said, "Go on."

"It took me about five minutes to get home from the bar." Burton forced himself to speak lucidly. "As I got near the house I saw the lights on, and a man came out the front door and hurried down the walk. I thought it was a prowler. I didn't expect Leona back so early. Anyway, her brother-in-law would have brought her, and I knew he wasn't the man I saw.

"I shouted at him just as he reached the sidewalk. I was about fifty feet away. He ran. I didn't have my gun. I went after him, dropping the flowers."

Burton paused, his face working. Then he went on in the same flat voice: "I lost him near the golf course a couple of blocks away. He was tall and dressed in dark clothes, that's all I could see. I think he doubled back into the next block, though he may have jumped the fence onto the golf course.

"I still wasn't particularly worried," Burton continued. "There's not much of value in the house and I didn't have any idea Leona was home. I walked back and picked up the flowers and went into the house." Burton looked around with a shudder. "I noticed a queer dim light coming from the front bedroom. I was suddenly frightened and ran in, calling Leona's name. There were two candles flickering at the foot of the bed. Then I turned on the ceiling light and saw . . . Leona on the bed. I knew she was dead. I knew it even before I touched her. I phoned headquarters and then remembered you were at Ted Whalen's and called him." Tom Burton put both hands up to his face again.

Gleason turned to Captain Thompson. "You'd better have a look in the bedroom, sir. And read those marked passages in the Bible if you want to start going crazy."

The sergeant found himself staring over at the florist's box, lying on a chair near the front door. One end gaped open and through the tissue paper he saw the red roses that Tom Burton had bought for his second honeymoon. The petals were a deep and beautiful red, the color of fresh blood.

Gleason ground his teeth together and began a careful survey of the living room. At the far end of the room two comfortable chairs were drawn chummily together before a double window, near a low coffee table. The table held a silver-plated bucket of partially melted ice cubes, two tall glasses, and two bottles.

Gleason went over to the coffee table. The taller bottle had the familiar label of a domestic gin. The other was a squat, beautifully tapered liqueur bottle half full of a green liquid. He frowned as he read the label. Pernod. He leaned forward and sniffed both glasses without touching them. The glasses

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gave off the odor of gin mingled with the unmistakable sweetish smell of Pernod. An ashtray beside the glasses held half a dozen cigarette butts, two lipstick-stained.

Captain Thompson stalked back into the living room looking mystified. "What do you make of that setup in there?" he demanded of Gleason. "Those marked passages in the Bible!" He made a savage gesture of disbelief. "I knew Leona before she married Tom."

"I thought I did, too," Gleason said angrily. "Looks like we were both wrong." He pointed to the bottles and glasses. "She and some man sat here smoking and drinking a mixture of gin and Pernod while she was supposed to be at choir practice."

Thompson studied the labels.

"Triple-distilled dynamite," Gleason said bitterly. "Highly regarded as an aphrodisiac."

"With nothing on but that green silk dressing gown?" Thompson threw a troubled glance over his shoulder at Burton, who still sat with his face buried in his hands.

"That's the way it adds up. How about it, Tom?" Gleason sounded harsh. "Did your wife make a habit of sitting around half naked drinking Pernod with other men?"

"You can't say that about Leona." Burton sprang up with doubled fists. "Damn you, there's some terrible mistake!"

"She did like a drink, though, didn't she?"

"A small one sometimes. We brought that bottle of Pernod back from our vacation in New Orleans two months ago. "It's no sin to take a drop once in awhile! But she wouldn't drink with a man here alone, and—and dressed that way."

Gleason crossed to him, shaking his head. "Don't waste your breath trying to defend her, Tom. What we need now is the truth." He put his hand on his friend's shoulder, forced Burton back into the chair, and stood over him grimly.

"I know you've been having domestic troubles. Why?"

Burton wet his lips. "Leona was repelled by my love making. She felt marriage should be more of a spiritual communion." He hesitated. "I don't know," he went on helplessly. "She met someone while we were on our vacation in the south. A guy named Dudley—something. She wouldn't tell me his last name. But she insisted there was nothing sinful about their relationship. That it was like being the bride of the lamb. Stuff like that."

His lips twisted. "I know she heard from him at least once since we returned. I found one of his letters, signed 'Dudley.' It had quotations from the Song of Solomon in it. But just last night," his voice cracked, "we had a long talk and she admitted she'd been wrong about him. He'd written her some pretty unspiritual stuff, and she finally realized what sort of man he really was. She was ashamed

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and sorry, and she promised me she'd never have anything to do with him again. She was sweet to me last night," he whispered, "sweeter than she'd ever been since we were married. She was changed. As though she'd suddenly realized what marriage really meant. We were happy together for the first time." He turned his face away.

Gleason told the captain somberly, "It begins to figure. A Bible-spouter named Dudley from New Orleans. If he came here tonight..."

"But Leona wouldn't have seen him," cried Burton. "She said she wouldn't."

"And she also insisted that you play poker tonight while she went to choir practice," Gleason said. "This doesn't look as though she went to choir practice." He indicated the glasses and bottles on the coffee table.

"She must have come home early," Burton insisted. "She never missed a Thursday night."

"How can we find out?"

"Call her sister Mabel. Mrs. Floyd Rossiter." He gave Gleason a telephone number. "Leona generally goes to the church by bus and Floyd Rossiter drives her home afterward. He sings in the choir, too."

Gleason called the number. A sleepy feminine voice answered. He asked, "Do you know if your sister, Mrs. Burton, attended choir practice tonight?"

"I suppose she did. Leona hated so to miss a rehearsal. Who is this calling?"

"Will you ask your husband if she was there tonight?"

"Floyd hasn't come in yet."

"Is he generally this late?" Gleason looked at his watch. It was a few minutes past ten o'clock.

"Not often. Sometimes he drives people home and is quite late getting back. Who is this, and why are you asking?"

Gleason gave an unintelligible grunt and hung up. "Your brother-in-law isn't home yet and his wife doesn't know." He turned from the telephone as one of the fingerprint men came in from the bedroom. "Get anything, Sam?"

"Afraid not. Two sets of prints around. We'll check Tom's prints to be sure, but my guess is the killer was too smart to touch anything barehanded."

"Get busy on those glasses and bottles." Gleason asked Burton, "Is that your wife's leather-bound Bible in there?"

Burton nodded. "She always read a chapter or two before going to sleep. Why?"

"Didn't you notice it lying open between two candles? With some marked passages the Bible boy must have thought appropriate," Gleason said. "It'll be just as well if you don't read them."

Burton swallowed hard. Captain Thompson said to Gleason, "Do you think she did meet that bird from New Orleans here?"

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Gleason said in a low voice, "Maybe she meant to keep her promise to Tom, but this guy Dudley surprised her by showing up. If he found her here with some other man . . . in that robe . . ." Gleason shrugged. "That would explain the marked verses in the Bible." He stalked over to the liquor table. "How're you coming, Sam?"

"Better. She used this glass, and someone drank from the other. These cigarettes may have something, too." Sam pushed at the butts with a matchstick. "The ones with lipstick on them are Camels. These others are an off-brand. Picayunes."

Gleason shook his head, but Tom Burton sprang up excitedly. "Picayunes? Those are New Orleans cigarettes. They're not generally sold elsewhere."

"That's good enough for me," Gleason told Captain Thompson. "This fellow Dudley – somebody-or-other had written her he was coming up to see her. Coming from New Orleans, he'd be likely to have a pack of Picayunes on him. This has all the earmarks of a job done by a religious fanatic. Let's go to work on the hotels. They can't have many guests from New Orleans whose first names are Dudley."

Thompson nodded. "I'll put every available man on it." He strode to the telephone.

Burton asked Gleason despairingly, "Do you think he did it?"

"It looks as though he's the man she was entertaining." Gleason hesitated. "A moment ago I theorized that she might have been here with someone else and this Dudley came on them unexpectedly. We can reverse that theory just as well. If she'd been carrying on with this other man and *he* found her here with Dudley . . ."

"No!" Burton yelled. "Not Leona. She wasn't like that. My God, Ira! You knew her."

"I thought I knew her," Gleason said gently. "But you can't deny that she entertained some guy here tonight wearing nothing but a dressing gown, when she was supposed to be at choir practice. So maybe she's done the same thing before, Tom. Is there anyone else we could ask?"

"Try Harvey Ellis," Burton mumbled. "He directs the choir."

Captain Thompson was off the phone by now, and Gleason called the number Burton gave him. A man's voice answered. Gleason asked him a few questions and hung up thoughtfully. Burton grabbed his arm. "Well? Was she there tonight?"

Gleason shook his head. "And neither was Floyd Rossiter." He hesitated before adding, "Ellis says this isn't the first time they've both failed to show up at rehearsal on the same night."

"We'll go out and talk to your brother-in-law," Gleason went on, "but first I'd like to check the neighbors and see if they saw or heard

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anything." He turned. "Tom?"

Burton shook himself. "There's only one close neighbor, Elliot Pendexter next door. I noticed his house was dark when I first came in." Burton went to the end of the living room and lifted the drapes to peer out. "Still dark." His tone was dreary. "Mrs. Pendexter is out of town and I guess Elliot's making the most of it. He rather fancies himself a lady's man."

Gleason rubbed his jaw. "In the beginning you said you thought the man you chased might have doubled back into this block. Any chance Pendexter was the man?"

Burton looked astounded, then angry. "We hardly know the man," he protested. "He and Leona both liked to garden, and they used to talk about their flowers over the back fence, but he's never been inside our house." He paused, then added painfully, "At least, I don't think so."

Gleason gripped his arm. "Before this is over you may learn a lot of things you never suspected. You know that in a case like this we always check the people closest to the scene."

Tom Burton squared his shoulders. "You're right, of course. You'd better start with me." He turned to Captain Thompson. "I was at Joe's Tavern over on the next street. The bartender knows me, and he'll verify the time I left because he helped me keep track of the time."

"While I'm doing that and covering the hotels for Dudley," Thompson said to Gleason, "you check on Pendexter's movements tonight and then have a talk with Floyd Rossiter."

"I'm trailing along," Burton announced quietly. "I'll go crazy otherwise." He went into the back bedroom and returned shoving a service revolver inside the waistband of his trousers. "If I'd had my spare gun on me tonight I could have stopped the devil in his tracks."

"Forget about that," said Captain Thompson sharply. "It wouldn't have brought your wife back to life. We'll get him."

Sergeant Gleason led the way to the sidewalk and over to the front door of the house to the north. It was dark, as Tom Burton had said. But Gleason put his finger on the bell button and held it there.

Burton could not repress a start of surprise when a light suddenly sprang up beyond the door. He started to say something. Gleason silenced him with a quick nod of his head.

The door opened to disclose a tall burly man with a red face and squinting eyes. He wore a faded blue bathrobe belted tightly about his waist, showing hairy shanks above a pair of leather slippers. His breath was heavy with whiskey.

He peered at the two men and asked angrily, "Burton? What the hell do you want?"

Gleason pushed forward, show-

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ing his badge. "We'll come in, Mr. Pendexter." They entered a littered living room that stank of stale cigar butts and alcohol.

"My wife's away," Pendexter said defensively. "What's the trouble?"

"How long you been home?" Gleason demanded.

"All evening. I had a few drinks and went to bed early."

"And I suppose you've been asleep all this time? Didn't hear the sirens or anything?"

Pendexter's eyes widened. "Sirens? I didn't hear anything until the doorbell just woke me. What's this all about?"

"What time did you go to bed?"

"Right after sundown. I was out late last night. See here," he blustered, "why are you questioning me?"

"Mrs. Burton has been murdered." The man's jaw dropped. Gleason went to the south end of the living room. A wide window faced the north window of the Burton house at a distance of not more than twenty feet. An armchair was drawn up before the window, a smoking stand beside it. The stand was piled high with cigar butts and ashes. Without turning around, Gleason said, "You have a mighty good view of the Burton living room from this chair."

"But I wasn't sitting there tonight. I tell you I went to bed at sundown."

"Then you spied on them on other nights?"

"Is it spying if they don't pull their drapes?"

"Ever see anything interesting?" Gleason asked the question casually.

There was a smirk on Pendexter's beefy face, quickly suppressed. "I don't know what you're driving at. I'm no Peeping Tom."

Gleason closed in. Suddenly he jerked Pendexter's bathrobe open and asked softly, "Do you always sleep in your underwear, Mr. Pendexter?"

Pendexter pulled his robe together with an angry attempt at dignity. "I was drunk tonight. I just tumbled into bed."

"You'd better get some clothes on. The captain will want to talk to you at headquarters."

While Pendexter dressed, Gleason found a short hallway leading to a rear door, facing the alley. The door was open and the screen door unlatched.

Burton came up behind him as he looked out. "Do you think he's lying?"

"Could be." Gleason gestured at the alley. "If he was the man you chased down the street, it would have been easy for him to sneak back up the alley and in this door, undress in the dark, then tumble into bed."

"But what possible motive could Pendexter have? We hardly knew the guy."

Gleason put both hands on Burton's shoulders. "You'll have to face the facts, Tom. Suppose there was

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something between Leona and Pendexter? Suppose he sat in his front room tonight in the dark, watching her drink and carry on with another man?"

"I don't believe it." Burton was breathing hard. "Let me go, Ira! I'll get it out of Pendexter—"

"You'll stay with me and keep your mouth shut," Gleason said. He led the way back to the living room. Pendexter joined them, tucking in his shirt-tail. As the man entered the room, Gleason asked abruptly, "Is there a Bible in the house?"

Pendexter's ruddy face showed surprise. "I guess there's one around. What do you want with a Bible?"

Gleason called a patrolman in to take charge of Pendexter. "Get his prints and a full statement from him. I'll talk to him later at headquarters."

As he and Tom Burton got into his car, he said, "We'll try your brother-in-law next. Let me do the talking."

Burton nodded wearily. They were both silent on the drive to the home of Floyd Rossiter at the other side of the city.

One light showed, in an upstairs window. They had to wait after Gleason's ring for some time before the door was cautiously opened by a plump woman with gray hair done up in curlers. Her broad face shone with cold cream and she held a gray robe tightly together in front.

"Tom," she exclaimed. "I tried to call you after Floyd got home, but some strange man answered your phone and talked real funny. What is it? Someone called up earlier to ask about Leona . . ."

"Who is it, Mabel?" Floyd Rossiter's voice called from upstairs.

"Police," Gleason barked. "Mrs. Burton has been murdered. I want to ask your husband a few questions."

"Murdered?" Mabel Rossiter threw her plump arms about Burton's neck and began to shriek.

Gleason pushed past to confront the short, pompous little man coming down the stairs. He was in his shirt-sleeves and his tie was loosened at the throat. Rossiter was in his mid-forties, with brown hair thinning on top and innocent blue eyes behind rimless pince-nez glasses.

"What is it?" he demanded querulously. "Why on earth are you carrying on, Mabel? Isn't that Tom Burton?"

"Did you see Mrs. Burton at choir practice tonight?"

Floyd Rossiter's Adam's apple bobbed. Then he nodded. "Of course."

"How do you know? You weren't there." Gleason was watching him hard.

"Certainly I was. I . . ." Rossiter lifted his hand nervously to his collar. "I don't know who you are," he said with asperity. "Tom—"

"Homicide," Gleason said. "Tom's wife was murdered tonight. Where were you at nine thirty?"

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"Leona? Murdered? Me? At nine thirty? He was stuttering. "I've told you—"

"You lied," Gleason said wearily. "Neither of you attended choir rehearsal tonight."

Rossiter darted a frightened glance past the sergeant toward his wife and brother-in-law. He said quickly, "I'll be very glad to go along with you, officer, to be of any assistance I can. I'm so shocked I— You'll stay with Mabel, Tom? I know she must be dreadfully upset. Dear me. Yes. You can comfort each other. I'll get my coat." He turned and scurried up the stairway like a frightened rabbit.

Mabel Rossiter still clutched Burton, blubbering against his chest. Burton shook his head violently at Gleason over her head, but the sergeant said, "Yes, why not stay here with her, Tom? I'll get a statement from her husband and come back for you."

"But Ira—!"

Gleason shook his head. "I'll see you don't miss out on anything important."

In his car outside, the sergeant waited until Floyd Rossiter was settled beside him. Gleason said, in a man-to-man tone, "I've an idea you'll talk more freely here, with neither your wife nor Tom Burton around."

"Yes. Yes," Rossiter squirmed. "If Mabel should ever learn . . ."

"Where were you tonight?"

"I assure you my whereabouts have no bearing on this—this matter. I didn't see Leona Burton . . . if that's what you think."

"She wasn't at choir practice, either."

Rossiter wriggled uncomfortably. "All right, I may as well admit I knew she wouldn't be. Otherwise I'd scarcely have dared . . . You see, Leona telephoned me this afternoon to say she wasn't coming."

"Did she say why?"

"I believe she planned to spend the evening at home."

"Without telling her husband?"

"I'm sure I don't know."

"And you didn't tell your wife, either. You let her think you were at choir rehearsal as usual. Where were you?"

"I assure you I committed no crime!" Rossiter's voice was squeaky with alarm.

"Don't try to deny that you and Leona were more than just in-laws," Gleason said flatly. "We've been checking and we know all about it. This isn't the first time you two have skipped Thursday night choir practice."

"That was months ago," Rossiter panted. "I confess I was . . . attracted by Leona's spiritual purity. She had a beautiful soul. At least, so I thought in the beginning." He began to wring his hands. "It began when we met at the church one night and learned the rehearsal had unexpectedly been canceled. I suggested a little drive. It seemed harmless—I mean, no one could

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possibly know. A brief moment of beauty snatched from the prosaic monotony of our daily lives. I drove west into the foothills and parked overlooking the city. We sat silently and I held her hand in mine and we experienced a communion of spirit neither of us had ever known."

He inhaled. "That was all. Then I drove her home. It was completely innocent."

"That was the beginning," Gleason said. "How about the end?"

"It wasn't what you think," Rossiter said excitedly. "I began to sense a subtle change in her. I found myself questioning her spirituality. I caught glimpses of a carnal passion that revolted me. I was forced to insist that we discontinue our drives. Leona agreed after a violent scene. That was months ago!"

"You still haven't told me where you were tonight."

Rossiter was silent for a moment. "Not long afterward another lady joined our choir in whom I recognized the true spirituality I had mistakenly believed Leona possessed. I can't describe the bonds that were forged between us as we shared a hymnal and sang sacred songs together—"

"So you began driving this new babe out into the hills to hold hands and commune with the spirits?"

"Spirit—singular! On only a few occasions. We have tried to be discreet. Tonight was only the third time we have dared absent ourselves from practice."

"Who is she?"

"I must refuse to tell you that." The pompous little man looked stubborn. "The world always misinterprets such things, innocent though the participants may be."

"You need an alibi," Gleason suggested.

Rossiter was horrified. "An alibi? You can't possibly suspect me of wrongdoing! I've explained that Leona and I severed our relationship long ago!"

"That's your story, Rossiter," Gleason said. "My story is that *you* made the advances and Leona retreated. You kept after her to continue the affair, and drove over to Tom Burton's tonight and found her communing with another man. You went off your rocker with jealousy, waited till the guy left. Then you murdered her and marked those passages in the Bible to indicate what she really was."

"No, no," moaned Rossiter. "I don't know what you're talking about!"

"It fits the facts. Unless you can prove an alibi. Who's the other dame?"

"No! I will not besmirch the name of an innocent woman!"

"Suit yourself." Gleason leaned forward and started his motor. "You think it over at headquarters while we're checking your fingerprints."

When Sergeant Gleason trudged into Thompson's private office a short time later he found the captain in an exultant mood.

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"We know our man, Ira. The Reverend Dudley F. Quarles of New Orleans. Checked in at the Parkview yesterday. Room three-one-nine. He wasn't there, but the fingerprints in the room check with the set on one of the liquor glasses in the Burton living room. I've got a call in to New Orleans right now."

Gleason pushed his hat back on his forehead. "Good enough. I'll get Tom Burton. I promised to let Tom in on anything important."

"Do you think that's wise?" Thompson looked doubtful.

"Suppose it was your wife," Gleason said dryly. He hurried out and drove back to the Rossiter house. Tom Burton met him on the walk outside.

"I called a doctor for Mabel, Ira, and he's given her a sedative. What did you do with Floyd?"

"We're holding him for questioning. Get in."

"Holding Floyd?" Burton shook his head. "He's been superintendent of the Sunday School for twenty years."

Gleason shrugged. On the drive back to headquarters he told Burton the latest development.

"Thanks for letting me in on the payoff," Burton said hoarsely. "What room is he in? I want to get my hands on that skunk Quarles!"

"We haven't got him yet. And there's no real proof that he murdered Leona."

"What do you want, a photo? You say the fingerprints check. He was gone on Leona and tonight when she told him we were making up, he went nuts!"

"Just theory," Gleason sighed. "We know Quarles is the man who sat there and drank with her, sure. But how do you know Pendexter wasn't in love with her, too? If he was spying from his window—"

"Pendexter?" Burton laughed savagely. "Is he the type to arrange those candles and the Bible after strangling her?"

"Take it easy, Tom."

Captain Thompson had news for them. He had reached Mrs. Dudley F. Quarles in New Orleans by telephone and she had tearfully informed him that her husband was supposed to be visiting a sister in Captain Thompson's city.

"I just called the sister," Thompson said. "Her brother arrived at her house shortly after ten o'clock tonight, and he left for his hotel just a few minutes before I called. She said he was acting nervous and queer. She couldn't explain why he was stopping at a hotel instead of with her."

"He'll be reaching the hotel any minute," Burton exclaimed. "What are we waiting for?

"Easy, Tom, easy." Gleason pushed him back into the chair. "Let him get into his room and we'll take him without a fuss."

"I've got men in the lobby and in the upstairs corridor. They'll call

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in the minute Quarles shows. I guess he's our man, all right," Thompson said slowly. "His wife admitted over the phone that he'd run away with all their savings ... and left a note advising her to get a divorce."

"Of course," Burton shouted. "He didn't believe Leona when she wrote him she was through—" He stopped as Thompson's phone rang.

The captain picked it up, listened, nodded to Gleason, and said harshly, "This is it. Quarles just entered his room at the Parkview Hotel. All right, Ira, take him."

Burton sprang to his feet, but Gleason was quicker. The siren cut a path through the traffic. Burton threw his unlit cigarette away as they pulled up at the hotel.

They went through the lobby shoulder to shoulder, getting a nod from a detective lounging there. Gleason said, "Three," to the elevator operator, and loosened his gun as they went up to the third floor. The corridor was deserted except for another detective leaning against the wall next to the elevator.

"He's in his room, Sergeant. Want me to ...?"

Gleason muttered, "Stay here, Lew. This is one pinch Tom Burton and I are making alone."

Burton had raced ahead, his face set, drawing his gun as he went. Gleason sped after him, but Burton was already rapping sharply on the door marked 319.

It opened readily and a tall, cadaverous man peered out. He opened his mouth just as Tom Burton swung his gun into firing position.

Gleason struck the gun up sharply. The bullet smashed into the ceiling. He seized the weapon and wrenched it from Burton's hand.

The young widower cried, "Let me alone, Ira! I've got the right!"

"To commit another murder?" Gleason said. "No, Tom."

"It wouldn't be murder," Burton raged. "He deserves to be shot down like a mad dog for killing Leona!"

The cadaverous man stood flat against the wall, staring wildly.

"You've got it a little cockeyed, haven't you, Tom? This man didn't kill Leona. You did."

"Me?" Burton laughed. "What's the gag, Ira? Captain Thompson checked my alibi. I didn't leave that bar till nine ten, and it took me twenty minutes to walk home and then chase this killer down the street. And I called you at nine thirty as soon as I found Leona. Are you kidding?"

Gleason said, "No. And you didn't chase Quarles. You had plenty of time to plant that Bible setup. And no one could have proved your story a lie if you'd succeeded just now in killing Quarles. The old injured husband routine. No jury would have convicted you."

"What is this talk of murder?" quavered the Reverend Dudley F.

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Quarles. He was still as pale as the bedsheet.

"Put your cuffs on Burton," Gleason told the other detective curtly, then he said to Quarles, "Mrs. Burton was murdered around nine thirty tonight. When did you see her last?"

"Leona? Murdered. Merciful God! Mr. Burton here came to the house a little after nine, although Leona hadn't expected him until midnight. He knew she was seeing me tonight to discuss our future together. He was extremely insulting, and I left immediately. And he murdered her?"

"Are you going to believe *him?*" Burton asked savagely. "It happened just as I told you, Ira. I didn't even know he was in town, and I certainly didn't know Leona was seeing him tonight! If I had, do you think I would have bought her roses?"

"Sure, as a build-up for murder," Gleason said. "And to help use me as a fall guy."

"You can't believe that! It's his word against mine!"

"I've got more than his word for it," Gleason said. "You tipped your hand just now in your eagerness to get to him first and shut him up before we could ask him any questions. You came straight to Room Three-nineteen—*yet no one had told you his room number!* That proves Leona had told you he was in town—that you lied all the way through."

Gleason turned his back on Tom Burton. "Take him away," he said.

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EDITORS' FILE CARD

AUTHOR: **STEPHEN BARR**

TITLE: ***Flag Day at Bedrock***

TYPE: Crime Story

LOCALE: Bedrock, U.S.A.

TIME: June 14, 1924

COMMENTS: *The holdup of the Farmers & Builders Bank was the strangest in the annals of American bank robberies. But what happened once the chain reaction got started!*

COURTHOUSE SQUARE LAY UNDER A Saturday morning pall of unseasonal warmth. The elms cast a green shade across the broad steps of the Courthouse where Whitey was reclining. He was awake, or almost awake, and he looked under the brim of his dirty old hat at the war memorial standing next to the flagstaff in the middle of the triangle of grass before him. It was a German 77mm. fieldpiece, captured during World War I at Belleau Wood six years before, and it roused certain obscure feelings of pride in Whitey. Somehow he had persuaded himself that he had been key man in capturing it—a strange fancy, as he had been no nearer that decisive combat than the base kitchen.

Across the grass, to the left, the door of the Bedrock Farmers & Builders Bank swung open and the bony, black-alpaca figure of Lawyer Jagger came out, and walked diagonally over to and up the Courthouse steps. He banged into his office in the Courthouse building.

Whitey looked back at the gun in the middle of the grass plot and saw that a small truck had pulled up nearby. Three men were getting out. Two of them were carrying boxes and the third was directing them. After a while it became evident that a sort of spring cleaning was taking place. Rags and oil cans appeared, the breech was opened, the cap removed from the muzzle.

Whitey sat up, experiencing a whirling sensation. Then he stood

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up—or rather, down—by placing his feet several steps below where he was sitting and swinging over onto them. Possessiveness more than curiosity drove him down the steps and across the grass. He was met by the man in charge: a bulky, blank-faced man in a blue double-breasted.

"What you doin' to my gun, hey?" Whitey demanded.

"Department of War Memorials," said the bulky man. "We have to travel around and fix up all the memorials, see?"

Whitey thought this over. "Well, clean her up good, boys," he said. "Treat her right—she's a good gun. Leave no stone unturned."

The "Department of War Memorials" exchanged glances and the bulky man said, "How's about a little drink, Pop?"

"This gun was captured by me in . . ." Whitey stopped in midstream. "Hey, I could go for that," he said. "You got any on you?"

The bulky man reached awkwardly into his hip pocket and took out a nickel-plated flask. "Help yourself. Right off the boat," he said.

Whitey drank, then shuddered. "Now when I and the platoon captured—"

One of the others, a short dark man, said, "How about moseying along, Gramp?"

The bulky man said briefly, "Cut it out, Stuffy. Want to do us a little favor, Pop? Take this note over there to the bank?" He held it out.

Whitey looked at the paper. It was folded, and on the outside was penciled, *To The Bank Manager Privet.*

"Why do we use *him,* McGallon?" the short dark man said. "He probably wouldn't even get there."

The bulky man waved this aside. "Sure he will. Won't you, Pop?"

Whitey looked at the note and then at the 77. "Okay, boys," he said. "Clean her up good, now. Don't do anything I wouldn't do!" He started away but turned back. "Maybe we should all ought to have another little drink?"

"After you deliver the note," said the bulky man, smiling.

Whitey left. Inside the bank was a solitary cashier: he was tall and narrow and had the stony eyes of an Easter Island statue.

"Go away," he said when he saw Whitey. "Beat it."

Whitey approached importantly. "I've got a note . . ."

"We won't honor it," replied the South Sea idol. "Vamose."

"This here note," persisted Whitey, "is from those government cleaning men outside there, Mr. Whipple. It's for the manager."

The granite eyes revealed faint interest. "Hand it over," Mr. Whipple snapped. He began reading the note. He finished reading it, his lips moving silently. Then he reread it—out loud and in utter disbelief:

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WE HAVE FIXED UP THE GUN OUT FRONT AND ITS TRAINED RIGHT ON YOU. WE HAVE GOT THE RIGHT AMMO RIGHT IN THE BREECH NOW AND ALL WE HAVE TO DO IS PULL THE LANYARD. SEND OVER ONE MAN WITH ALL THE MONEY—DON'T SEND ANY BONDS OR CERTIFICATES DONT SEND FOR THE TROOPERS OR WE WILL FIRE AT ANY GIVEN SIGNAL. IF YOU TRY AND SHOOT WE HAVE GOT A MAN WHOSE GOT THE LANYARD TIED TO HIS WRIST AND IF HE WAS TO FALL DOWN THE GUN GOES OFF AND IT WOULD BE JUST TO BAD. WE ARE DESPERATE MAKE IT SNAPPY. SIGNED—THE THREE. PS—IT IS A HIGH EXPLOSIVE SHELL.

Mr. Whipple dashed wildly to the window. "Who are they?" he cried.

"Government men," said Whitey.

Before Mr. Whipple was the memorial to the Great War. It was a sight so familiar that it had become practically invisible. He saw it very clearly now, alive with a gun crew and pointed—as Mr. Whipple couldn't remember ever having noticed before—directly at the Bank. He ducked, pulling Whitey to the floor with him.

It was at this moment that Mr. Bramwell, the manager entered from the rear, his bushy white eyebrows raised. "What are you two playing at?" he barked.

"Watch out, Mr. Bramwell!" shouted the cashier from the floor. "It's a holdup! Look outside!"

Mr. Bramwell looked out the window expecting to see masked men with guns. "What holdup? Are you drunk, Whipple?"

"No!" moaned Mr. Whipple, grabbing at the manager's trousers. "*Don't* go out there! They've got the field gun loaded! Here, read their note!"

Mr. Bramwell snatched the note and went white. He scurried into one of the tellers' cages and pressed a button. There was an immediate strident alarm—but as no guard was on duty, nothing happened.

"Turn it *off*, Mr. Bramwell!" Whipple called out frantically. "They'll fire off the gun!"

After a moment of bewildered cogitation Mr. Bramwell turned it off. A door at the rear opened and the janitor, an elderly Cherokee named Charlie Pinfeather, came in. "Sounded like the alarm was ringing, Mr. Bramwell," he said. Then he noticed the two men on the floor. "My!" he said.

"Don't stand there saying 'My!'" Mr. Bramwell shouted. "And get up off the floor, you two!" Whipple rose, cowering, but Whitey was asleep and remained where he was. "Somebody go out and tell those crooks to hold their fire!" Mr. Bramwell went on. "We've got to have time—"

Lawyer Jagger entered the bank. "Ah, Mr. Bramwell," he said, and nodded. "Ah, Whipple. I should like to cash a small—"

"Look out, man!" Mr. Bramwell choked. "We're in a holdup!"

Jagger looked quickly around.

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All he saw was Whitey on the floor, asleep. The manager explained and the lawyer blanched.

"Phone for the state cops!" Jagger said bravely, ducking.

"It says not to, in the note," Whipple whimpered.

"They won't know." Jagger scuttled over to one of the desk phones, joggled the hook several times, then put the receiver back. "Must have cut the lines," he said hoarsely.

"Better do what they say, Bramwell—pay up. You're insured."

"No, no!" Mr. Bramwell said. "Absolutely out of the question! I'll write a note telling them to give us more time—we'll think of something. Here . . ." He went to a desk and scribbled a note. "Whipple, you take this over to them."

"Me?" Whipple said.

"I'll take it," Charlie Pinfeather said.

"I've got another idea," Jagger interrupted. "One of the upstairs offices'll be open and we can use the phone up there." He made for a side door. "They can't have cut *all* the lines."

"While you're doing that, Charlie can take the note over." Mr. Bramwell gave the Cherokee the note, Jagger skulked out the side door, and Charlie Pinfeather shuffled out the front. Mr. Bramwell and Whipple watched anxiously as Charlie crossed the green to the war memorial and waited while the note was read. Then he shuffled back.

"They said okay," Charlie said, scratching his head. "You got ten minutes to get the cash up, but make it snappy, they said. And no one's to leave the bank or they'll fire."

The side door opened and Lawyer Jagger reappeared. He was accompanied by an energetic-looking individual with a bright bow tie and sandy hair parted in the middle. "Oh . . . Fewsmith," the manager said. For some reason he seemed a little taken aback. "I didn't expect you. Get the troopers, Mr. Jagger?"

The lawyer shook his head. "They cut *all* the lines."

"As a member of the Board," Fewsmith said crisply, "I suggest that all cash and negotiable paper be taken out the back way. *Immediately.*"

"There isn't any back door to this building," Mr. Bramwell said.

"I can jam that there gun," Charlie said.

"How?"

"Shoot a .22 slug into the barrel. Jam the shell."

"Have you got a .22 here?"

"That's the only thing." Charlie Pinfeather frowned up at the ceiling, then brightened. "Or I could pitch a baseball into it." Charlie was the star pitcher for the Bedrock Bombadiers. "Got a brand-new ball in my locker."

"But that's a high-explosive shell they said!" Whipple moaned. "If it jams it'll go off in the gun and

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wreck the square! We've got to get *out* of here!"

"How?" Mr. Bramwell asked simply.

The front door opened to admit a man with a brief case. He looked over the pince-nez eyeglasses at the tableau before him with puzzled disapproval until he was apprised of the situation.

"Hem," he said. "As Chairman of the Board, and there being two other members present, I hereby call a meeting!" He collapsed at one of the desks.

"Look, Mr. Winterhalter," Bramwell said, "we've got only eight minutes left before they blow us up. We've no time for a board meeting."

Mr. Winterhalter banged the desk with a paperweight. "I declare this meeting open!" he shouted.

"I move we do what they say," said Lawyer Jagger, "and send Charlie over with the cash. You're insured, aren't you?"

"You're out of order!" Mr. Winterhalter said. "You're not on the Board!"

"Well, it's the only thing to do under the circumstances."

"The thing we've got to do is get out!" Mr. Bramwell said. "I suggest we wave white handkerchiefs as if we were going to parley."

"They won't let you," Charlie Pinfeather said, looking out the back window at the old Tannery across the river.

"Look," said Mr. Bramwell. "We'll climb through the back window—it's not much of a drop. Let 'em go ahead and shoot."

"Absolutely not!" Jagger thundered. "This is *my* building—you only rent this space! I won't have them blowing up my building!"

"You carry insurance, don't you?"

"Yes, but the Inherent Explosion Clause doesn't cover this sort of thing. Besides that's a German army cannon out there, and the War Risk Exclusion Clause will be quoted. I can't take the chance, I tell you!"

"Right," said Mr. Fewsmith firmly. "Wrote the policy myself."

A pebble struck the window and they all jumped. Through the glass they could see McGallon pointing to his wrist watch. Mr. Bramwell hurried to a shelf and yanked down an ornate calendar. With a crayon he roughly lettered a sign on its back: YOU HAVE TO GIVE US MORE *TIME*, and held it high in the window. McGallon craned, nodded, and held up four fingers. A thin man passing on the sidewalk saw the sign and stopped to read it with extreme perplexity. Then he looked at Mr. Bramwell, who gave him a sickly smile. The thin man went on his way, shaking his head.

"They're giving us four more minutes," Whipple said. "Oh, dear!"

"Just how much cash is there on hand?" Mr. Fewsmith asked.

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"Well . . ." Mr. Bramwell looked uncomfortable. "We are in a—er—complicated financial position, gentlemen, at the moment . . ."

"You fool!" Jagger growled. "You been monkeying with the reserve again?"

"I can assure you everything will be perfectly all right by the end of the month," Mr. Bramwell said. "Any small shortage is covered by my personal note. Surely you know that I—"

"Wait a minute," Fewsmith said. "I've got an idea! Why don't we send them out a packet of phony bills?" There was a short silence.

"Who's got some?" the lawyer asked dangerously.

"Well, don't all look at *me!*" Mr. Bramwell said. "I'm not in the habit of—"

From beyond the far end of Courthouse Square came the sound of enthusiastic drums, followed by a cacophony of bugles. This quickly merged into a sort of march as it came nearer, accompanied by happy childish voices.

"Oh my," said Mr. Bramwell faintly. "The Boy Scouts."

"What, what?" asked Mr. Winterhalter.

"Flag Day—they always pretend to fire the cannon!"

In the center of the green Stuffy, who had wearied of the loop of the gun's lanyard around his left wrist, was changing it over to his right when they heard the band music.

"*Now* what?" sighed McGallon, squinting in the direction of the noise.

What he saw coming toward them in the noon heat was a procession, led by a group of Boy Scouts. Behind them trooped and whooped children of various ages in mufti, and bringing up the rear were a number of assorted adults. To the holdup gang's horror, when the scouts got to the green they wheeled directly toward the flagpole and the memorial fieldpiece, followed by the rest of the parade.

"Tell those kids to get away from here!" McGallon snarled to his henchmen, but they were both looking dazed.

Convoying the troop was a Scoutmaster, a very young man, all Adam's-apple and good will, but at this moment rather stern. He looked disapprovingly at the gun crew. "Company . . . Halt!" he said, and then he demanded of Stuffy, "What are you people doing here?"

"Government," McGallon volunteered. "Department of War Memorials. We have to clean up the war memorials."

"You'll have to hold it until after the ceremony," the Scoutmaster snapped.

McGallon said feebly, "Okay," and then out of the side of his mouth, "Hold everything, boys—I'll be right back!" He walked rapidly over to the door of the Farmers & Builders and stuck his head inside.

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"Don't nobody make a move!" he said to the frozen occupants. "And don't get any ideas, see? If we have to, we'll fire the gun, and we'll be on our way before they know what happened. Get a move on with that dough!" He slammed the door and retreated rapidly.

When McGallon got back to the gun one of the Scouts was spreading his hands apologetically before the Scoutmaster. "You never told me to bring it, sir," he said in an aggrieved tone. "I thought *you* had it."

"Tsk!" said the Scoutmaster. "How're we going to have a flag raising without a flag? You better run back and get it Sidney. And you—" he turned to the band, "start playing something."

"What'll we play?" asked the band leader.

"Anything!" He looked at McGallon irritably. "Would you men please mind moving aside?"

McGallon shook his head. "Can't," he said. "Orders."

The Scoutmaster frowned. Then he caught sight of the lanyard around Stuffy's wrist. Stuffy unwound it hastily and began to braid the end with great concentration. McGallon and the third gangster began to polish the green-painted barrel of the 77, glancing uneasily from the Scoutmaster to the bank.

Meanwhile, the band had started up again, deafeningly. Some of the younger Scouts, finding time heavy on their hands, had begun to break ranks. One of them was whanging away at the bass drum with a bean-shooter, and another was rehearsing the Pledge of Allegiance.

"Maybe we'd better hightail it out of here," Stuffy muttered to McGallon.

"We will like hell!" McGallon muttered back. "What's holding them yokels up at the bank?"

"Want me to go have a look-see?" the third thug said.

"Stay where you are!" McGallon whispered furiously. "If one of us goes in there maybe this time they'll think of grabbing him!" He glared at the bank and seeing the faces behind the window, made a peremptory come-hither gesture. The faces immediately went into conference.

"Hey, Mister!" a voice near McGallon's knee said. "What's this for?" McGallon saw a diminutive Scout on all fours peering into the box in which they had brought the high-explosive shell.

"Scram outa here, kid!" McGallon yelped. Another small Scout was sitting astride the breech mechanism and a third was attempting to look into the muzzle by jumping up and down.

"Scram!" McGallon implored under his breath. "Get offa that gun! Beat it, will ya?"

The Scoutmaster was watching the gun polishing with disfavor. "You'll have to stand back," he said

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to McGallon, "when we fire the cannon later."

"What?" said McGallon, boggling. "You *can't!"*

"Don't worry," the Scoutmaster reassured him. "There's no danger. The gun isn't loaded, you know."

McGallon, Stuffy, the third man stared at him dumbly. Then McGallon swallowed. "What's the sense, Lootenant? We got it all taken apart; and besides—"

"Don't worry," the Scoutmaster said, smiling. "We just pull the lanyard is all."

". . . and to the Republic for which it stands," a voice was saying. *"One Nation indi . . . indi . . ."*

Inside the bank, opinion had become divided. "I tell you they won't dare fire with all those kids around!" Mr. Winterhalter was asserting.

"Yes, but even if *they* don't the Scouts will!" Whipple said.

"Anyway, what do they care about a bunch of kids?" Fewsmith had joined with Whipple. This contingent had been all for climbing out the back window, but they had discovered that it had not been made to open, and anyway was thickly reinforced with heavy wire mesh.

"I know!" Whipple said. "Let's lock ourselves in the vault."

"And have the building fall in on us? We'd be crushed and suffocated!"

Whitey was awake by now. "Where's those fellers?" he was complaining from the floor. "Promised me 'nother little drink . . ."

Helplessly they peered out the bank's front window at the mob around the gun. Then their hearts rose as a burly and familiar figure came to a stop on the sidewalk outside the bank. It was the local policeman. Mr. Bramwell dashed for the door, but the officer walked across the street toward the truck in which the holdup men had arrived. It was parked beside a hydrant.

"Damn!" groaned Mr. Bramwell.

Officer Burdett saw that it was an out-of-state truck and noting the three strangers at the war memorial, drew the obvious conclusion. "That your truck?" he demanded, pushing small boys out of his way. "You ought to know better than to park it there!"

The three bankrobbers smiled sickly smiles.

"Which of you's the driver?" Officer Burdett went on. He pulled his book out of his pocket.

"Government . . ." McGallon began weakly, and gave up. His hand crept toward his shoulder holster.

"Let's see your license," the policeman said, his expression suddenly hardening. He had the air of one beginning to recognize a half-forgotten face.

Just then the band stopped playing. McGallon was astonished to see the policeman turn his eyes upward and come to attention. He

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glanced around and saw that the flag had arrived and was being raised: "I pledge allegiance . . ."

Hypnotized, he came to attention himself. Bewildered, his two henchmen followed suit. The next thing they knew, they were having their hardware lifted by Officer Burdett who had his Police Positive showing.

"All right, you three," the policeman said grimly. "I know who you are! Wait a minute—" There was a bugle call. The Scoutmaster, accompanied by an Eagle Scout, pushed past them.

Officer Burdett whispered ferociously, "Come over here and keep your traps shut!"

The trio followed him to one side like sleepwalkers. They all watched, fascinated.

The Scoutmaster raised his right arm. There was a riffle of drums. The Eagle Scout, crimson with pride, seized the lanyard. A gurgle welled up from McGallon, but too late.

There was a deafening roar and the shell went through the front window of the bank and out the back one. It screeched across the river and landed in the old Tannery, which was no longer operating as such, being now the property of White's Mattress Factory and used to store cotton flock in bales.

There it exploded.

As McGallon and his friends were led away, a light breeze sprang up and thousands of bits of white fluff began to settle like the first snowstorm of winter over Courthouse Square.

Everyone agreed it was the finest Flag Day raising Bedrock ever had.

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EDITORS' FILE CARD

AUTHOR: **LAWRENCE G. BLOCHMAN**

TITLE: ***A Case of Poetic Justice***

TYPE: Detective Story

DETECTIVES: Dr. Coffee and Lieutenant Ritter

LOCALE: Northbank, United States

TIME: The Present

COMMENTS: *The case against taxicab driver Woods was airtight—murder in the first degree. Pathologist Dr. Daniel Webster Coffee was sure the accused was innocent—but being sure was not enough: he needed evidence.*

DR. DANIEL WEBSTER COFFEE, chief pathologist at Pasteur Hospital, looked up from his microscope and frowned at the ungodly and unscientific sounds coming into his office through the closed door from the laboratory. He recognized the calm, ingratiating voice of Doris Hudson, his lab technican, and the booming Texas bass of Dr. Bryan, resident in surgery. But he could not identify the third voice — the desperate, tearful voice of a hysterical woman. Dr. Coffee arose and opened the door.

Young Dr. Bryan was planted squarely in the path of a wispy, freckled, snub-nosed blonde. Two small children—a little girl of three and a solemn-faced boy of seven—clung to the skirt of her cheap print dress. They began to wail in unison when Dr. Coffee loomed in the doorway.

"Come in, Mrs. Woods," Dr. Coffee said. "Trouble?"

"This readheaded young jerk said you were too busy to see me," Flora Woods complained. "I might have known that was just a big stall."

"She's a maniac, Doctor," Bryan said quickly. "I just thought she

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ought to have a sedative before she crashed in on you." The resident squared his broad shoulders. "She's got blood in her eye."

"She's certainly been very abusive." Doris Hudson slipped down from her work stool and smoothed the back of her white smock. "She threatens to leave her children here with you."

"Mrs. Woods," Dr. Coffee began, "you didn't—"

"Sure, I did. And why not? You said they couldn't keep my husband in jail because you were sure he wasn't guilty. Well, he isn't, but they have."

"Yes, I know, Mrs. Woods. The way the evidence stands now, the police couldn't do otherwise. But I'm still convinced—"

"Jerry didn't kill this guy Pete Mannock, or McMann, or whatever his name is. He didn't kill anybody. Jerry wouldn't hurt a fly."

"I'm confident I'll be able to prove it very soon, Mrs. Woods."

"Soon! And who feeds the kids in the meantime? Oh, I can buy the grub—I can drive Jerry's cab. I hacked for him that other time he was in the clink on account of McMann. But I can't push a taxi ten-twelve hours a day and look after kids too. So maybe if *you* look after the kids, you won't forget about springing Jerry like you promised."

Dr. Coffee opened his mouth to rebuke this impertinent woman he scarcely knew, but he said nothing. There was something pathetic about her leftover, washed-out prettiness. Everything about her seemed fragile and tired. "Very well, Mrs. Woods," he said finally. "I'll ask my wife to look after the children while you're driving the taxi."

"You will?" Flora Woods' tone was incredulous. Then, quickly, she added, "Okay, then. I'll pick them up at suppertime."

Her hasty exit was marked by renewed wails from the two children.

Dr. Coffee raked his fingers through his tousled, sandy hair. "Doris," he said, "get Mrs. Coffee on the phone. But first tell me a good way to stop children from yowling."

"Children are a little out of my line," Doris Hudson said, pointing the telephone at the young resident. "But you might ask Dr. Bryan. The childish way he's been acting around here lately, he must know."

"How about it, Bronco?"

Dr. Bryan had been christened Ignatius Sylvester, but he much preferred "Bronco." He was about to reply to Doris Hudson's crack when Dr. Coffee said desperately, raising his voice over the wails of the children: "Try letting the boy look through your microscope. Maybe the little girl will play with paraffin blocks. Doris will give you some old ones."

"Mrs. Coffee doesn't answer," said Doris Hudson unhappily.

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Dr. Bryan made a face. "Then ve'll be baby-sitting for the hackie's kids all day?"

The children's howling increased.

"I'm sure I can prove Jerry Woods didn't kill Mannock," Dr. Coffee said distractedly. But his voice was more hopeful than confident.

The pathologist retired to his office and closed the door, half wishing that Police Lieutenant Max Ritter had not dragged him into the case. Well, he had not been dragged, exactly. He was always glad to act as unofficial medical examiner, since the Northbank police had no laboratory and the city and county were at the ignorant mercy of an elected coroner who didn't know an acid-fast bacillus from a hole in the ground. Dr. Coffee had really been pleased when his friend Ritter had called him out of bed one night a week ago to examine what appeared to be the scene of a murder. Great stars! Had it been only a week since he had rushed to that dismal apartment house in the river-front district?

Apartment 4-A had been a shambles when he arrived, but there was no corpse. There was only tall, droopy-eyed Lieutenant of Detectives Ritter browbeating a slump little doll-faced brunette while photographers' flash bulbs glared and technical men crawled about looking for fingerprints. A rummage sale in a high wind, Dr. Coffee had thought as he looked around the room—furniture overturned, draperies yanked down, cigarette butts and broken ashtrays strewn about the floor, and blood spattered on the walls and upholstery.

"It's on account of the blood I called you, Doc," Max Ritter said. "I remembered that Smith case, and how you always want samples while sticky. Since you're here, though, meet Mrs. Mannock. Emily thinks somebody knocked off her husband. Maybe she'll talk to you about it, Doc. She won't tell me a thing. She don't like cops. Do you, Emily?"

"Not since I met you." The brassy voice didn't fit the demure, downcast eyes Dr. Coffee had first noted. Then he saw they were no longer demure; they were defiant. And the doll-like mouth had become a sullen pout. "When I called the cops, I thought you'd find out what happened to Pete instead of just yammering at me. I can't tell you nothing because I don't know nothing."

Her long earrings flashed as she tossed her head. She was still wearing her hat, if you could call it a hat—a mere handful of beads flung into her short hair. The uneven, squirrel-chewed bangs that were supposed to give her the gamin look made her appear even more brazen.

Ritter said, "Emily's just a hash slinger. She won't explain how a hash slinger owns two suitcases full

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of expensive clothes, or why the dresses are packed in valises ready to go, instead of hanging in a closet."

"Pete bought me those clothes when he was in the chips," Emily snapped. "And they're packed because we had a fight this morning. I said I'd leave him if he didn't get a job right quick."

"Now she talks," Ritter chuckled. "Emily says she was slinging hash at Milton's Café till eleven tonight. It checks. She got home an hour ago. You tell it again, Emily."

Emily sniffed, touched up her pout, and turned her head twice to peer into the mirror of her compact before saying slowly, "I knew something was wrong the minute I started down the hall. The apartment door was half open—and Pete's kept that door locked and on the chain ever since we came to Northbank."

"How long ago, Mrs. Mannock?" Dr. Coffee asked.

"About a month. Pete started acting scared almost right away. When I'd ask him about it, he'd only laugh."

"What does your husband do, Mrs. Mannock?"

"He's—well, he's out of work right now. He wanted to come to Northbank because a friend of his lived here. I don't remember the name, but it was somebody who owed Pete a lot, he said. He came here to square accounts. Well, when he couldn't seem to locate this guy, I got a job so we could keep eating—"

"Okay, Emily, so you found the door half open. Then what?" Ritter asked.

"Nothing, except I went in. When I saw the mess I got a stomachful of butterflies. I thought I was going to keel over but I didn't. I yelled, 'Pete! Pete! Where are you?' He didn't answer. I ran around like mad, opening closets, looking under the bed, in the bathroom, everywhere. No Pete. So I called the cops."

Dr. Coffee opened the small black bag he had brought with him. He said, "I'd like a sample of your blood, Mrs. Mannock, if you please."

"You can skip the blood test," Emily said. "I'm negative."

"Your arm, please," Dr. Coffee said firmly.

"Look, Doc," Max Ritter said, "when you get around to taking blood samples from the furniture and whatnot, will you skip those stains on the door? There's a perfect set of prints there I want to save."

The morning after his visit to the Mannock apartment Dan Coffee was late to work. As he entered the laboratory Dr. Bryan said, "The police must have a nine-state alarm out for you. That cop friend of yours has called three times in the last half hour."

"Ritter can wait. Anything cooking now, Doris? Any biopsies?"

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"No biopsies ordered. But I see work in progress all over the place," Doris Hudson said. "Were you here all night again, Doctor?"

"I dropped in to run some precipitin tests," Dr. Coffee said, "which I couldn't complete because we have no animal antiserum. I phoned the medical examiner's office in New York, and Dr. Wiener is sending me a lot by air. So I want you at the airport at noon to meet the pilot of Flight Nine-oh-five, Doris. Meanwhile, stain these slides and set up a microscope eyepiece so we can measure the corpuscles. I want Dr. Bryan to look at them after he's seen my makeshift homework from last night. You haven't been out of medical school so long, Bronco," he said, turning to Dr. Bryan. "You ought to remember a lot of your hematology. Take a look."

The telephone rang, and Doris Hudson answered. "Lieutenant Ritter again," she said.

"Hi, Doc," Ritter said when Dr. Coffee had taken the telephone. "I got news."

"I've got news too, Max. Let's meet for lunch at Raoul's. Today it's braised veal kidneys in red wine," Dan Coffee said hopefully. Mrs. Coffee believed that kidneys were unfit for human consumption and refused to cook them at home.

"Okay, Raoul's at twelve thirty," Ritter said. "But don't dawdle, Doc. This case sizzles."

When the pathologist hung up, Dr. Bryan was whistling softly as his coppery head bent low over the microscope.

"What do you make of it, Bronco?" Dr. Coffee asked.

"Unnucleated red cells. Round, rather than oval. So we can eliminate the fish, fowl, and good red herring. Also the reptiles. It's mammal blood, all right, but—say, Doctor, aren't the red corpuscles pretty small for human blood?"

"Exactly," said Dr. Coffee. "And that's as far as we can go until we get the antiserum from New York."

Dr. Coffee could sniff the pleasant aroma of Raoul's *rognons de veau* from half a block away. As he climbed the narrow stairway to the diminutive second-story restaurant, he mentally reconstructed the processes he knew went into the preparation of the dish. Raoul would slice veal kidneys water-thin, dust them with seasoned flour, brown them in butter with a few tiny onions, and then simmer them in good red wine with a pinch of thyme, a bay leaf, a few mushrooms, and a clove of garlic.

The number of gnawed radish tops in the ashtray told Dan Coffee that the police detective had been waiting for some minutes.

"Well, Max," Dr. Coffee said as he sat down, "it looks as though your case isn't homicide after all."

"No?" Lieutenant Ritter leaned back. "Why not?" he demanded.

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"I think Mannock is still alive. I think this murder act is an insurance fraud that Mannock and his loving wife cooked up."

"Why so, Doc?"

"That blood in the apartment can't be his. It's not human blood."

"Oh." The detective pondered this statement while Raoul served the kidneys from a steaming casserole and opened a bottle of wine. "Sure of that, Doc?"

"Positive. Under the microscope the red cells are much too small. I checked with a precipitin test, and I got no cloudy ring in the test tube with my human antiserum."

Ritter bit savagely into a crust of French bread. "Then why should the bloody fingerprints on the door belong to a convicted murderer?"

"You tell me, Max."

Ritter shook his head. "It don't make sense," he said.

"It's not human blood, Max. That much I know. But it may be several days before I know more."

"For once, Doc, I think you're wrong," Ritter said. "Last night I wired the print classification to Washington and this morning the F.B.I. answered that the prints belong to a killer named Jock McMann, who sneaked out of the Nevada State Pen hospital a year ago with a high fever and a guard's uniform. So I've got to decide whether Jock McMann is really Pete Mannock—the guy we're looking for—or whether he's the guy who killed Pete Mannock. So I phoned Reno and Washington and I talked some more with Emily Mannock and I got an answer: McMann *is* Pete Mannock, and vice versa. It's like this . . ."

Ritter had pieced together a bizarre tale of a bizarre character. Mannock—or McMann, as he was known at that time—had come home from occupation duty in Germany with a chestful of medals (some authentic), an uncanny skill with the dice and with the nine-millimeter Walther pistol he had got in Berlin, an excellent recipe for *hassenpfeffer,* and a strong disinclination for hard work. He had made a few desultory passes at the slow-but-honest dollar, and then had fallen back on his skill with the dice, which landed him in Reno, Las Vegas, and other Nevada points where his virtuosity was appreciated.

McMann had worked both sides of the tables. For a while he had been a croupier, for he had charm and dexterity. However, he also had a habit of going off after work, in a jeep well stocked with girls and bourbon, to shoot rabbits in the nearby sagebrush with the Walther pistol. At sunup he and the jeepful of girls would arrive at his bachelor quarters, there to breakfast on *hassenpfeffer* made from rabbit meat marinating since the last expedition. Inasmuch as their arrival was often accompanied by the discharge of several volleys from the Walther, a practice apt to attract the state po-

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lice, most casinos had decided after a time that McMann was not really croupier material.

On the other side of the table McMann had not been a success. He seemed to have lost his GI touch with the dice. He began drawing to seventeen at blackjack. And he developed an unswerving loyalty to a complex roulette system that ate voraciously into his reserve.

To keep up his standard of living, he had knocked over a casino at closing time one night when the house was even farther ahead than usual. Unfortunately, he was surprised while departing with the swag and had to shoot the assistant manager. He got away by bribing a taxi driver and he successfully cached some $40,000 before he was caught.

The taxi driver turned state's evidence, claiming he did not know he was aiding and abetting murder, and got off with six months. McMann was lucky to get life. A few months after the cabby was released, McMann escaped.

The F.B.I. had picked up traces of Jock McMann's flight—in Ogden, Denver, Kansas City, Omaha, Miami, Houston, and Chicago. Somewhere along the line he had changed his name to Pete Mannock and married Emily.

"This cabby's name is Jerry Woods," Max Ritter concluded. "Emily claims she doesn't know if Woods lives in Northbank or not. I say he does, and that's why Pete Mannock was scared and kept the door locked. And I say Jerry Woods rubbed out Mannock, either for self-preservation or because he didn't get his cut of the forty grand. And I predict that before the sun sinks in the golden West, my boys will find out what name Jerry Woods is hiding under."

"Max, why are you so positive that Jerry Woods is your man?" Dr. Coffee asked.

"Because the assistant manager of that Nevada casino was shot with a nine-millimeter Walther," the detective replied, "and they never found the Walther in Nevada. But we found an empty cartridge in the Mannock apartment last night which, judging by the ejector marks, was fired from a Walther nine millimeter. But again we didn't find the Walther. So I say this Jerry Woods has had the Walther pistol in his possession ever since the Nevada shooting, and he's been using it."

"It's a puzzler, Max." Dr. Coffee stared thoughtfully into his wine glass. "Did the neighbors hear any shots fired?"

"Well, yes and no. Most of the tenants didn't hear a thing—they were asleep. Of the two tenants who were awake at the time, one guy remembers hearing something like a shot, but he thought at the time it was a truck backfiring. The other guy was watching a Western film on television; he says he wouldn't have noticed one shot

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more or less, on screen or off. So write your own ticket."

Dr. Coffee raised his glass. "Let's drink to the right answers, Max."

Lieutenant Ritter had indeed located Jerry Woods before sundown that day, through the simple expedient of looking him up in the telephone book. Not only was Woods using the same name, but he was following the same trade of taxi driver and was married to the same loyal, self-effacing wife who had stood by him when he went to jail in Nevada.

Woods and his wife denied everything — Woods indignantly, his wife tearfully. Woods was a balding, stocky, cocky man with a squint in one eye, and a fast, angry answer for every question. He swore he had not seen Jock McMann since Nevada. No, he hadn't heard the man was in Northbank and what's more he didn't give a damn. No, he had never heard of anybody named Mannock on River Street or any other street. Emily Mannock? Never heard of her. No, he didn't own a Walther. He had never fired a pistol in his life and he didn't expect to, not even at that slob who had almost wrecked his life. All right, so he'd been suckered into a lousy deal once, but he'd paid for it and no hard feelings. He wasn't packing a grudge against that slimy so-and-so forever. He had enough worries just making a living for the wife and kids. And if anybody thought hacking in Northbank was a bed of roses . . .

Lieutenant Ritter had been sympathetic, but not very. Hidden atop a rafter in the Woods garage he found a nine-millimeter Walther, the barrel fouled by recent firing. So while Flora Woods sobbed, Ritter had taken the cabby downtown to the lockup.

It was nearly a week later, with Jerry Woods still behind bars, that Flora Woods had parked her children in Dr. Coffee's laboratory.

That same afternoon, having finally got his wife to take the Woods children off his hands, Dr. Coffee was in the laboratory, holding a series of test tubes up to the light and then replacing them in the rack, one by one. He sighed. "Are you sure of your controls, Bronco?"

"Why wouldn't I be sure, Chief, after five months in your lab?" Dr. Bryan said. "And with pretty, precise Miss Hudson double-checking every little thing I do?"

"Then why the devil don't we get at least one positive reaction?" the pathologist demanded. "Dog, horse, cow, pig, cat, sheep—all negative. What kind of blood could Mannock have used to pull that murder act—kangaroo?"

"Maybe it was whale blood," Dr. Bryan said glumly.

"I'm not keeping my promise to Mrs. Woods," Dr. Coffee said and shook his head. "I hate to think the habeas corpus is mightier than the

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precipitin test, but my brightest hope right now is that they won't dig up a corpus delicti, and will have to turn Woods loose."

The corpus delicti was found that night. At eleven o'clock Ritter telephoned Dr. Coffee. "Going to bed? . . . Well, put your pants back on, Doc. I'll pick you up in ten minutes."

A dozen miles beyond the western outskirts of Northbank, where a secondary road wound back from the river through the rolling hills to become a weed-grown cart track, a shabby coupé without license plates stood beside a tumble-down shack. It was in the shack, Ritter explained to Dr. Coffee, that two hunters had stumbled upon a grim discovery.

Police emergency lights flooded the scene, pointing up the broken windows and doorless doorway of the deserted shanty.

The beams of light converged on the body of a man, sprawled on his back, arms outstretched, eyes closed. Even in death he had a sort of waxen handsomeness, a bloodless, debonair smile. There was little doubt that the dead man was Jock McMann, alias Pete Mannock. He matched the F.B.I. photos. Just to make sure, however, Ritter sent for Emily Mannock.

Dr. Coffee had been examining the corpse for five minutes when Emily arrived. Flanked by two plain-clothes men she strode into the glare of lights with the swinging walk of a musical-comedy soubrette making an entrance. She smiled and batted her eyes at her audience, nodded curtly to Lieutenant Ritter, took one look at the dead man, shrieked, and crumpled to the ground.

After Emily had been revived and led away, Max Ritter said, "I guess this trumps your no-murder theory, don't it?"

"Does it, Max? A week ago this woman was so sure her husband was dead she gave you hell for not rushing right out to find the body. Tonight she sees the body and faints cold. What does it mean?"

"It means we charge Jerry Woods with murder," Ritter said.

"Don't, Max."

"The D.A. insists. Soon as we find the body, the D.A. says, he'll draw the complaint."

"The D.A. is sticking his neck out a mile." Dr. Coffee said. "Let's take another look at the corpse. Don't you think the deceased looks remarkably unbloody, in view of all that gore we found in his apartment? I see no stains on the clothes, which practically rules out a body wound. And I don't see any bullet wounds on the face or head."

"Didn't I read somewhere that a bullet can go in a guy's ear so that nobody notices any hole at first?"

"It's possible, Max. In which case we would recover the bullet at the autopsy."

"Then maybe Mannock was shot

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through the ear at his apartment a week ago. Maybe he did all his bleeding at home and then, after he died, he stopped bleeding. And if there was any blood on his face it got wiped off when the killer brought the body out here."

"This man didn't die a week ago, Max. He's in *rigor mortis* right now."

"Shouldn't he be, Doc? He's dead, ain't he?"

"*Rigor* usually starts wearing off about forty-eight hours after death," the pathologist explained. "In three days it's almost always gone. This man is supposed to have been killed a week ago, but see how rigid his limbs are." Dr. Coffee tried to flex the left arm, then the fingers. Suddenly he bent closer to examine a long, ridgelike ulcer that started at the base of the thumb and crossed the palm of the left hand. He rocked back on his heels, looked up at Ritter, and gave a low whistle. "Max, I'm a fool," he said. "I've just found out why all my tests went wrong."

"I don't get it, Doc."

"Help me persuade the coroner to let *me* do the autopsy. There must be one, and the D.A. will want a bullet to match the Walther pistol if he's going to try Woods for murder. The coroner won't have to worry about an autopsy fee. This one will be on me."

"Think you'll find the bullet, Doc?"

"I think I'll find plenty. And tell the D.A. to keep his shirt on."

Doris Hudson met Dr. Coffee at the elevator the next morning as he returned from his weekly teaching session with the interns. She handed him a slip of paper and walked along beside him.

"Two telephone calls, Doctor," she said. "Lieutenant Ritter says to tell you that Woods will be arraigned on a first-degree murder charge at four this afternoon. Then some matron from the city jail called with a message from Mrs. Woods. Seems Mrs. Woods won't pick up her kids tonight. She was arrested for driving a cab without a hack license, and she's still in jail because she refuses to divert grocery money to hire a lawyer or pay a fine."

Dr. Coffee slammed the lab door behind them with an exasperated bang. He said, "Call up and find out what the fine is. I'll send a check over by messenger. I want her in court this afternoon. Where are the sections from the Mannock autopsy?"

"Dr. Bryan has been looking at them." Doris Hudson pursed her lips. "Buster Bronco seems to be working up a sensational diagnosis. Or maybe it's just a form chart."

"Nothing sensational whatever. Just textbook stuff," said Dr. Bryan. "Have a look, Chief?"

Dr. Coffee swung a leg over a stool next to the young resident and switched on the reflecting light behind the second of two micro-

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scopes on the workbench. He took the tiny rectangle of thin glass that Dr. Bryan passed him and slid it under the lens of the microscope.

"Lung tissue," Dr. Bryan announced. "Just like in medical school. Extensive necrotic areas in the alveolar walls."

"Typical, all right." Dr. Coffee's eyes were glued to the twin lenses.

Dr. Bryan passed him more slides. "Same necrosis in the liver, spleen, and lymph nodes. And look at the section from the ulcer at point of entry. Look at the mononuclear cells. Am I right, Chief?"

"No doubt about it, Bronco." Dr. Coffee twisted the focusing knob. "Doris, pack a microscope and a set of these slides in my bag. I'm going to take them to court."

At a few minutes before four that afternoon, Dr. Coffee hurried into the nearly empty courtroom. He was relieved to note that the judge was not yet on the bench. He nodded briefly to Max Ritter, sitting outside the rail between the flashy brunette Mrs. Mannock and the washed-out blonde Mrs. Woods. He strode past two reporters lounging in the jury box, past the bald, chubby Jerry Woods sitting inside the rail between two uniformed policemen, past the protesting bailiff, who tried to bar his way to the judge's chambers.

The magistrate was just donning his judicial robes. "Sorry to burst in like this, Your Honor." Dr. Coffee said, "but I wanted to stop this man Woods' arraignment. I want—"

"The defendant Woods has until now refused counsel," the judge said firmly. "The court has not yet appointed an attorney to defend him. So if you will please retire—"

"I'm not a lawyer, Your Honor. I'm a pathologist—Daniel Coffee of Pasteur Hospital. At the coroner's request I performed an autopsy on the deceased in this Woods case. I've just finished my microsocopic diagnosis. I think I can prevent the prosecutor from making a fool of himself."

"Oh?" The judge sat down, and then spoke into the intercom. "Please ask the prosecutor in the Woods case to come in."

When the dapper young deputy district attorney bustled in, the judge said, "Hendrix, meet Dr. Coffee. The doctor says you're about to make a fool of yourself, and he offers to stop you. Do you consent to the dismissal of the murder charge against one Gerald Wilson Woods?"

"I—certainly not, Your Honor." The prosecutor flushed. "I think I have enough evidence to go to trial. I have motive. I have an empty cartridge, found at the scene of the crime, that fits the weapon found in possession of the defendant—and for which, the coroner informs me, Dr. Coffee himself will produce the bullet, recovered from the body of the victim."

"The coroner misinformed you,"

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Dr. Coffee said. "I told him that *if* there was a bullet, I would recover it at the autopsy. As a matter of fact, there *was* no bullet in the body, no gunshot wound whatever. The deceased was not shot."

"Really?" The judge sat up. "What killed him?"

"Poetic justice, Your Honor."

The judge leaned back and glared. "Doctor, you are flirting with contempt charges."

"Not at all, Your Honor. If you will give me five minutes, I think I can prove that nobody was responsible for Pete Mannock's death but himself—with the possible exception of Mrs. Mannock, who is sitting outside in the courtroom and who, I think, will corroborate my statements."

"Very well, then. Five minutes—if counsel has no objection."

"No objection, Your Honor," the prosecutor said.

"Ever since he escaped from the Nevada penitentiary, Mannock was a hunted man, constantly on the jump," Dr. Coffee said. "It must have been exasperating to Mrs. Mannock to live in a suitcase, to take menial jobs and live in mean surroundings just to create a mask of respectability—of mistaken identity. I suggest she served Mannock with an ultimatum: that she would leave him for good if they were forced to run away again. She kept her bags constantly packed as a reminder of this threat. So Mannock decided on a new deal—with a stacked deck.

"He traced Jerry Woods to Northbank. He came here to kill two birds with one stone. He would establish prima-facie evidence of his own death, so that he could stop living as a perpetual fugitive. And he would even an old score with Woods for turning state's evidence by framing Woods for an imaginary murder.

"So Mannock went into the hills back of the river and shot a rabbit with his Walther. He saved the empty cartridge to leave in his apartment, and he planted the Walther in Jerry Woods' garage. Then he made a shambles of his apartment with rabbit blood and left a clear set of his own fingerprints on the door, knowing that transmission of the prints to the F.B.I. would revive the whole Nevada story and point a finger at Jerry Woods. He was then ready to hide out and await developments.

"At this point, Your Honor, I failed Jerry Woods. Although my lab indicated the blood in the Mannock apartment was not human blood, I was unable to identify it exactly—because the precipitin test we were using is based on antiserum produced in laboratory rabbits, and naturally it gave no reaction to rabbit blood.

"The rabbit, however, had the last word. While Pete Mannock was bleeding the rabbit carcass, the knife cut into the palm of his left

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hand, infecting him with tularemia. Tularemia—rabbit fever—is fatal in about one case out of twenty. Mannock was the twentieth. A few days after his disappearance he must have experienced sudden chills, fever, and headache. His lymph glands grew large and painful. Alone and without care, he quickly developed tularemic pneumonia and died—probably only a day or so before we found him, since he was still in *rigor mortis*.

"Now, Your Honor, to prove my points, I have here microscopic sections from the organs of the deceased. If Your Honor will permit me to set up this microscope, I should be pleased to show the court and the district attorney—"

"Never mind!" The judge stood up. "Hendrix, if you'll go on outside, I'll open court so you can ask that charges be dismissed. I'll oblige. Thank you, Doctor . . ."

When it was over, Flora Woods vaulted the rail into the inner enclosure. She threw her arms around the prisoner, kissed him resoundingly on his bald spot, and then bestowed a more tender buss upon his lips. "You lucky stiff!" she said. "I ought to kiss Doctor Coffee, too. You ought to be very thankful to him. And to Mrs. Coffee."

"I'm sure it's the other way around," Dan Coffee said. "It's my wife who will be thankful that—uh—that you and the children will soon be together again. I—hey, Max, where's Emily?"

Lieutenant Ritter turned around just in time to see a flash of color—which might have been an impertinent flick of Mrs. Mannock's skirt—disappearing through the rear doorway of the courtroom.

"Let her go," the detective said and shrugged. "I don't think I can build an airtight case against her for obstructing justice. She has a perfect alibi for the night Mannock disappeared."

"I suppose so," said Dr. Coffee wistfully. "But I was hoping she might have remembered Pete Mannock's recipe for *hassenpfeffer*."

NEXT MONTH . . .

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CHARLOTTE ARMSTRONG's *The Ring in the Fish*

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EDITORS' FILE CARD

AUTHOR: **HENRY CECIL**

TITLE: ***"I Killed Gordon McNaughton"***

TYPE: Crime Story

LOCALE: London

TIME: The Present

COMMENTS: *Was the accused guilty of perjury? — or of obtaining money by false pretenses? A clever yarn with a provocative legal point. By the author of* SOBER AS A JUDGE *and* THE LONG ARM.

YES, SIR, I ONCE KNEW A MAN WHO had been charged with murder and who was sorry that they had pretty well abolished the death penalty in 1957. Not because he preferred to die—oh, dear me, no. He was fond of life and of the good things in it. So was I. It's a good many years ago since we enjoyed some of them together. But we certainly did. We saw a lot of each other, Jimmy and I. Had the same tastes in business and pleasure. In both we liked to take it easy—not too much work but well paid; lots of pleasure and not too much to pay for it. They were good days, the old days. At any rate, I found them so. Jimmy wasn't quite so lucky: he found himself charged with murder.

In a way it was a simple case, but it wasn't *that* simple. It had been suggested in certain quarters that some of our deals weren't quite on the level. That was nonsense, of course. But neither Jimmy nor I wanted to go to prison, and Jimmy was heard to remark that if anyone tried any funny business with the police, he wouldn't advise an insurance company to insure that man's life.

Well, Gordon McNaughton went to the police about us. But before they had time to act on his information, Gordon McNaughton died. Suddenly and violently. And things

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looked black for Jimmy. Apart from his threat there were pieces of evidence which linked him with the murder, and so they charged him with it.

He was tried at the Old Bailey and at the close of the case for the prosecution, things didn't look good for Jimmy at all. Perhaps you're thinking that's why he wished there was a death penalty for the murder he was charged with—there's always more chance of an acquittal by a jury if the penalty is death, not just life imprisonment. Wrong again. He *was* acquitted. I gave him a good alibi and they couldn't break me down. I can't say that I told the whole truth, or even the truth at all; but it's not on my conscience. Jimmy was my friend, and friends should stick by each other, don't you think? A little matter of perjury shouldn't come between them.

Why am I telling all this? Aren't I frightened they can charge me with perjury now? No, sir, I'm not. I shall be standing before the Great Judge long before they can start any case against me, let alone bring me to trial. And I'm not sorry. I've had a full life and a long one. And I've had enough. The engine's running down. And perhaps you'll be able to corroborate me when I stand my trial up there and say that I *did* tell someone before I left this world. Anyway, I've told you and you can do what you like about it.

But why did Jimmy wish the death penalty hadn't been abolished? I'm coming to that. You mustn't rush me. We like to take it slowly at my age.

Well, we didn't see quite so much of each other, Jimmy and I, after that trial. Both of us thought it might be better, for a time at any rate, if we carried on separately. So we drifted apart. I hadn't heard of him for some years when, one day, I got a shock. I picked up my morning paper and there was an article by him. And what was it called? *I Killed Gordon McNaughton.*

I wondered what they paid him for it and I couldn't resist getting in touch with him to ask. He told me. Then I asked him if it was quite safe. "Of course it is," he said. "I've been acquitted and I can't be tried again for the same crime." And he was right about that. I asked a lawyer and he said, Yes, that was right, he couldn't be charged again with the same crime.

But some of the public didn't like it and some of the members of Parliament didn't like it either. And a lot of letters were written to the papers and a lot of questions were asked in Parliament. And the next I heard of Jimmy he was in the paper again. They'd arrested him. Oh, no, the lawyer was quite right. They couldn't charge him with the murder. They didn't. They charged him with two alternative charges: perjury and obtaining money by false pretenses.

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Jimmy's counsel made a great fuss about the two charges being heard together.

"My lord," he said. "Perjury is one thing, false pretenses is another. If the prosecution maintains that my client committed perjury at his trial for murder, let him be tried for that and let the jury give their verdict upon it. If thereafter the prosecution desires to persecute my client by charging him with obtaining money by false pretenses, let them do so before a *different* jury on a *different* occasion. In my respectful submission, my lord, to try the accused simultaneously on these two completely separate charges—which have nothing to do with one another—is an affront to justice."

"Well," said the judge to counsel for the prosecution, "what do you say?"

"My lord," replied the other counsel, "in the ordinary way the prosecution would not have sought to have these two different charges heard by the same jury. But this is an exceptional case. The accused was tried for murder and gave evidence on his own behalf denying his guilt and supporting his defense by alleging that he was somewhere else at the time the crime was proved to have been committed. The accused was acquitted. Some years later he approached a daily newspaper and offered to sell to it for a not inconsiderable sum a story which he claimed to be true. The accused had been tried for the murder of Gordon McNaughton. In the witness box at his trial he swore that he did *not* kill Gordon McNaughton. In the story which he sold to the newspaper, secure in the knowledge that he could not be tried again for the murder, he said that he *did* kill him and described how he did so. He also admitted that his alibi was false and described how it had been fabricated.

"Now, which story is true, my lord? The one he swore to in the witness box or the one he sold to the newspaper? I confess, my lord, that I certainly do not profess to know. If and when the whole of the evidence on the accused's present trial has been given, the jury may be in a position to judge. But suppose, my lord, the accused is simply tried for perjury: he could go into the witness box and calmly say that the evidence given by him in his trial for murder was true. If the jury accepts that explanation and he is *then* tried for obtaining money from the newspaper proprietors by falsely pretending that he had committed the murder, he could then say that he *had* committed it. If the jury believed that, or were even in doubt as to whether it might be true, they would have to acquit him again.

"It is true that he could then be charged with perjury in his trial for perjury. But he could then revert to his *other* story and say that it was true.

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"In other words, my lord, as long as the accused is tried for only one of these offenses at a time, he can ring the changes until eventually everyone concerned with the case dies of old age.

"The only solution to this problem, my lord, is for him to be tried by one and the same jury on *both* charges as alternatives and let that jury make up its mind on the whole of the evidence as to what the truth of the matter is. That is the only way justice can properly be done. My learned opponent talks of an affront to justice. In my respectful submission, the affront comes from the accused and not from the prosecution. Having sworn he did not commit the murder, the accused snaps his fingers in the face of the public and arrogantly proclaims that he did commit it. Justice is not so blind that she can't see how to deal with that situation and this, my lord, is the only proper way to deal with it."

After a little further argument the judge upheld the prosecution and Jimmy was tried on three counts of perjury, with an alternative of one count for false pretenses. Apparently the jury believed that Jimmy had been more truthful in print than he had been originally in the witness box, and in spite of my evidence (for I supported his alibi again) he was convicted of perjury. The judge gave him the maximum sentence on each count —to run consecutively. This meant fifteen years in all.

I saw him before he was taken away. He was wild, I can tell you.

"You must do something about it," he said to me. "It's terrible. I shouldn't so much have objected to eighteen months for getting money from the newspaper, but fifteen years *for telling the truth!* I'd have done better if they'd convicted me of murder the first time. If they hadn't abolished the death penalty it wouldn't be so bad. But, as it is, I'm worse off than if I'd pleaded guilty to murder. And I'm innocent, Jimmy. You know I am."

That was the odd thing about the case, sir. Jimmy was innocent—completely innocent of murder and perjury. How do I know? Because I killed Gordon McNaughton.

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EDITORS' FILE CARD

AUTHOR:	**PAUL GALLICO**
TITLE:	***Hurry, Hurry, Hurry!***
TYPE:	Detective Story
DETECTIVE:	Nick Jackson, alias Swami Mirza Baba
LOCALE:	Thackerville, Kansas
TIME:	Turn of the century
COMMENTS:	*The carnival tale of a cynical, dissolute scalawag of a fortuneteller and of a shy, dewy-eyed innocent of a girl who put her faith in the old faker . . .*

ONE LATE-SUMMER DAY AROUND the turn of the century, a cheap carnival came to a small town in Kansas for the county fair, in time to relieve some of the tensions built up by the brutal murder of an innocent widow on a lonely farm and the forthcoming hanging of the farmhand who had been found guilty of the crime.

The morning of the day the fair was to open in Thackerville, the carnival boss, Bowers, strode the busy midway where the concessions were being knocked together—the Ferris wheel and giant swing, the freak and girly shows, the hoopla games and wheels of fortune—and bawled, "Hoi! Gather 'round all hands. The Sheriff wants everybody."

At that moment the curtains parted at the booth over which hung a garish poster showing a turbaned Indian gazing into a crystal ball and advertising: SWAMI MIRZA BABA TELLS THE PAST, PRESENT AND FUTURE—25¢, and Nick Jackson strolled out of the booth, spitting a stream of tobacco juice.

He was an unkempt, friendless, lonely man, past 60 but looking older, with a gray, seamed face and small, red-rimmed eyes. Hard-boiled, irreverent, he had the cynicism of a man whose lifetime had

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been spent in the city slums doing the best he could, and around cheap burlesque shows, traveling circuses, dime museums, and carnivals. He had been shill, barker, shell-game operator, short-change artist, front worker, and con man, but age and drink had made him unreliable in a tight pinch and he had ended up "dukkerin," as the Romany gypsies called fortunetelling.

"All right now, you rats, listen to me," the Sheriff began his address. He was a big man with a good forehead and hard, clear eyes. He wore a snakeskin belt and ten-gallon hat, and his neck rose from his flannel shirt like the column of a cottonwood tree. "This is a hard-working community of decent God-fearing people. We're a-goin' to let you operate here long as you behave. I know you for what you are, a pack o' thieves, rascals, and scalawags. But you ain't goin' to get away with anything here. I got my eye on all of you and I been around some too."

Nobody in the group of carny men stirred or said anything with the exception of the old fortune-teller who spat again.

"You wheel-of-fortune men, keep your bellies away from them brakes and lever boards. You skin anybody and you'll spend the next six months in jail. That goes for you hoopla and ring-the-cane fellers too."

The grifters exchanged looks but said nothing. They were wondering just how much they would have to shave to stay on the right side. The Sheriff was pleased with the effect of his speech on everybody except the fortuneteller. The hot impudence and contempt in the man's eyes irritated him. He said:

"You Swami there, or whatever your name is. I don't know that I'm a-gonna let you work."

The old man regarded him unblinkingly and said out of the side of his tobacco-stained mouth, "Why? What's the matter with me?"

"You're a faker. You can't read no minds and you can't predict no future. Let's see you predict mine, if you can."

Nick said, "Cough up first, you the same as anybody else." The Sheriff reached into his jeans and flung a two-bit piece to the fortuneteller, who pocketed it and snarled, "You want a prediction, eh? Couple a months from now you won't be Sheriff any more."

There was a roar of laughter from the assembled carnival men.

The Sheriff's eyes hardened. "Is that right? What makes you think so?"

With an election coming off in November, it was a good fifty-fifty chance and maybe better, Nick knew. He had spent the previous day in Thackerville lounging around the barber shop, the bars, and the general store listening to gossip and picking up stray bits of

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information which might come in handy. Now he replied, "You got a hangin' comin' off next week. How do you know you're stringin' the right feller?"

The Sheriff flushed red and stood silent for a moment on the bandstand. "You watch yourselves," was all he said finally. He climbed down and strode away, shouldering roughly through the carnival men. Nick merely spat again.

The whole town, Nick had found out, was still on edge over the murder a month ago of the widow Booth, discovered in the kitchen of her farm with her head beaten in with a poker, and over the scheduled execution of Erd Wayne, her hired man, who had been found wandering half dazed about the kitchen with the murder weapon in his hand and blood on his clothes.

Wayne had been tried and found guilty when banker Samuel Chinter had supplied evidence for the motive, testifying that he had refused Wayne the loan of $1,500 to buy the Coulter farm that was up for sale. There had long been rumors that the widow kept that amount, her late husband's insurance, in the house in cash. But, testified banker Chinter, the widow actually kept her money in the bank and so the murderer would have got no more than a few dollars for his crime. Wayne's defense had been lame. He had been about to enter the kitchen for supper, he had said, when he was struck from behind and remembered nothing more.

It was, as the Sheriff had said, an open-and-shut case, and it had been conducted vigorously by the county prosecutor who hoped to reach the state legislature via the conviction, in spite of the fact that a lot of people had liked Erd Wayne. Some said he wanted the farm so that he could ask June Purvey to marry him but was not the kind to stoop to murder to get it. Still, the evidence seemed conclusive and sometimes fellows in love lost their heads. One never knew . . .

"Hayseeds," muttered Nick Jackson, eyeing the teeming midway from the entrance to his booth. He wore a soiled wrapper now, with stars and moons sewn onto it, and a turban with shaving-brush bristles and a ten-cent-store diamond stuck in the front of it.

He gave readings automatically. "A dark man is coming into your life . . . You have been worried lately, but things will get better . . . Beware of a blonde woman . . . You are a sensitive type misunderstood by your family."

The curtains to the booth parted admitting the next customer, a young girl in a white cotton frock tied with a blue sash. Her dark hair, worn long, was gathered together in the back by a ribbon of the same color. She was 18, shy, nervous, frightened. But what

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startled the fortuneteller the most as his shrewd eyes analyzed her, missing nothing, was her innocence.

"Are you Mirza Baba?" she asked.

"Yup!"

"Can I have a reading?"

"Two bits."

She opened her purse. He always made them pay first. A glance into pocketbooks yielded valuable clues. He saw the snapshot of the young man in an open-neck shirt. She handed him a quarter.

"You are worried about someone near and dear to you." A safe opening—her nervousness, the snapshot . . .

Her dark eyes opened wide and she stared at him amazed. Tears formed in them. "I'm June Purvey," she said.

"I knew that," the old man lied. He scrutinized her with renewed interest. Hers was a simple, dewy beauty the contemplation of which unaccountably made his heart ache. Unaccustomed to emotion and pain, he suddenly turned savage and said harshly. "They're a-goin' to hang your man . . ."

The girl gave a low cry of despair, put her head down on the table, and sobbed uncontrollably. Nick was used to clients dissolving into tears when he sometimes prodded them on the raw or guessed their secrets. Yet the grief of this child touched him.

He hedged, ". . . unless something happens to prevent it."

The girl lifted her tear-lined face and clutched miserably at the straw. "Oh please, Mr. Baba, help me. Please. He didn't do it. Look here —you can see he didn't do it." She opened her purse and presented the photograph.

The odd thing was that at that moment, with the snapshot in his grimy fingers, Nick would have bet that Erd Wayne was innocent. His profession had trained him to read faces instantly. Life in a sordid world more black than white had taught him all the telltale marks left by greed, viciousness, hatred, and malice. The face of the man in the picture was frank, open, and honest.

"That's right," he agreed, "he didn't do it. I can see that."

"Then won't you help him, please, Mr. Baba? I'll pay you. I've brought money . . ." She opened her purse again and produced a roll of bills that made the old man's eyes light up with cupidity.

"It's eighty-five dollars that I've saved. But I would pay you more—anything you wanted. I could send you some every week. I work at Pete's dry goods store."

"You Erd's girl?" Nick asked.

June shook her head. "No . . ." And then added, "He ain't spoken yet."

"What you doin' this for then?"

"Because I love him."

Nick was unable to understand the depth or simplicity of her reply.

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To him love was desire. He said, "Supposing he was to get off and go sparkin' someone else, hey?"

June regarded him miserably for a moment, then replied fiercely, "I wouldn't care, 'long as he was alive!" She pushed the money toward him. "You could find out the truth," she said. "You can read their minds. Nobody can hide anything from you. If the murderer came here you'd know."

"Yup, I'd know."

"Then take it." She indicated the bills.

Nick said, "Gimme half. You can pay the rest when I find something out." He counted out 40 dollars and then added the odd five-dollar bill. He had no compunction at taking her money. This was how he earned his living, separating the gullible from their cash. It surprised him, though, that he had not taken it all. He said, "I'll keep my inner eye peeled. Don't say nothing to nobody. You can come back tomorrow."

She got up to go. Her eyes were filled with trust and relief. "Oh, thank you, Mr. Baba. God bless you!"

He watched her go, suddenly filled with a strange, angry desire to free hired man Wayne.

Nick Jackson was what was known as a cold reader. With no props such as cards or crystal ball, he sat at a table and dissected his clients, probed them for their weakness and hidden troubles. He employed a combination of ready patter, shrewd observation, knowledge of human nature and evil, and the natural desire of his victims to talk.

"Some men cannot resist the impulse to have just one more drink," he would say to some unhappy housewife with bitter lines about her mouth, watching her face for clues. If the lips tightened, the eyes widened with a hint of tears, he had the secret of her visit. If the expression remained blank he continued smoothly, "But that, fortunately, is not the case with your husband." Then he would fish in other waters—blondes, cards, the ponies . . . Soon they would be spilling everything to him, convinced that he had read their innermost thoughts and secrets.

The afternoon of the next day a young girl came in. But she was not innocent. Nick could tell when they had had experience.

His knowing eyes estimated her. Straw-colored hair, small greedy mouth, high-school senior ring, good clothes. When she opened her purse to pay him he glimpsed a rouge compact and a diamond ring, the stub of a railroad ticket to Kansas City, and a scrap of paper with the address, in masculine handwriting, of one of that city's shadier hotels. It was as though she had presented her immediate history to him written down in a copybook.

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He said, "Sit down, dear." He thought of the Sheriff and his hard-working community of decent God-fearing people and laughed inwardly. "You are the affectionate type; your warm generous nature gives you away. I see someone who loves you. But wait. I see another woman at his side. The man is married, is he not?"

The girl's eyes filled with fear. "How do you know?"

"Nothing is veiled from Mirza Baba. Shall I tell you more?" From outside sounded the cries of the barkers, "Hurry, hurry, hurry!" and the groaning of the carousel organ and the snap-snapping of the cheap rifles in the shooting gallery. The girl nodded silently.

"I see a train ride. You are alone and nervous. You are walking along a street in a big city. You come to a hotel. There you meet your lover. The two of you go inside . . ."

The girl's moan interrupted him and she appeared on the point of collapse. "Oh, God, you've found out. My father will kill me if *he* finds out."

Her story came pouring from her. Her name was Clytie Vroom. A much older married man in the town had fallen in love with her. She had wanted pretty things. He had given her a diamond ring, which she had never dared wear, and other gifts. He had painted a glowing picture of the wonderful time they would have together in the big city, and she couldn't resist his invitation to spend a week-end there with him. She had told her father she was going to visit a girl friend in a neighboring town.

Nick was doing arithmetic. The ring must have cost nearly a thousand dollars, the other gifts several hundred. Where would a man in a small town lay his hands on that kind of money without his wife or someone finding out? He asked, "What was his name, dear?" It was a mistake. If he had kept quiet or prodded her some more it would have slipped out.

She was on her feet, her little mouth twisted with fear, her eyes wide with terror. "Oh, God! You'll find out if I stay here any more. You'll read it in my mind . . ." She snatched her purse and fled from the booth.

Nick went to the entrance and watched her panicky passage down the midway. He gazed at the mingling of farmers and villagers out for a holiday. He wondered what other secrets were to be dredged out from behind those bland, smooth faces, what other guilts smoldered beneath denim, seersucker, dimity, or poplin.

He saw June Purvey standing near the frozen custard stand, her dark unhappy eyes trying to catch his. She probably had been waiting there all day, watching.

Nick signaled to June Purvey with a jerk of his head and went back inside. A moment later she

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came in. She plucked at his soiled wrapper, crying, "Oh, Mr. Baba . . . Have you found out who did it?" Her voice shook with strain and anguish.

He replied, "Nope," and then quickly corrected himself, "Mebbe. The psychical aura is kinda confused. I gotta git more impressions. I see a figure but there is a veil in front of it." Then abruptly changing his tone, "You know a girl named Clytie Vroom?"

June nodded, puzzled. "Yes. I went to school with her."

"Know who her feller is?"

June thought . . . "I don't think she has one, a steady I mean." She blushed suddenly. "I think maybe the Sheriff is sweet on her. I've seen him walking her home from the bank several times. Clytie works at the bank, you know." Then June drew in her breath sharply crying, "Oh . . . but . . ."

"The Sheriff's married," concluded Nick. "Never mind; it probably don't mean nothing. You run along. I'll let you know if I hear anything."

The next day was Sunday and unbearably hot. Although the fairgrounds were crowded, Nick gave only a few desultory readings and mostly sat waiting in the stifling booth rolling Bull Durham cigarettes, thinking of the man in the county jail waiting to be hanged by the neck until dead and wondering if it could really be pinned on the Sheriff. He daydreamed with vicious satisfaction of unmasking the man who had called them all rats and scoundrels, and singled him out for abuse.

Toward late afternoon Nick heard voices outside the curtain closing the entrance and pricked up his ears. Many workable clues could be mined listening to the snatches of talk between two people before one of them came in, from, "Aw, I dare you. I will if you will," to such admissions as, "Jim would be furious if he knew I had gone to a fortuneteller," exposing the timid wife and the domineering husband.

A woman's voice said, "Vulgar fraud. It oughtn't to be allowed."

The man's: "Oh, I suppose it is amusing. I'd like to see just how far these fakers go."

The woman's (with a snort): "Really, Mr. C. If you can't find something better to spend hard-earned money on . . ."

The man's: "Maybe he'll tell me how to invest and make a fortune."

The woman's: "Samuel Chinter! That I should live to see the day when you patronized a fortuneteller."

And the man's, finally: "My dear Essie. I see that you are still far from plumbing the more tortuous depths of my character. If you are embarrassed, wait for me at the Ladies Aid Booth."

Nick indexed mentally: *Businessman, but his wife holds one end of the purse strings. Would probably*

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enjoy a fling if he could get it. And he was trying to remember where he had heard the name before. Then it came to him as the curtain parted. Samuel Chinter, president of the Farmer's Bank, came in.

He sat down opposite the seedy-looking little man in the gown and ridiculous turban. His thin mouth parted in an amiable enough smile as he asked, "Can you make money out of this sort of thing, my friend?"

Nick replied. "Yup. Or I wouldn't be doing it." He was studying the tight, too-smooth face. The banker's skin looked as if it were made of elastic and had been stretched over wood. He noted the lines at each corner of the bloodless mouth and the gleam in the small, butternut-shaped eyes.

"Well, then, my friend, Mirza Baba, if that is your name, supposing you tell me something about myself."

Nick said, "Two bits," and waited, watching while the banker took a leather purse from his left hip pocket. This surprised the cold reader since most men kept their wallets on the right. Chinter laid the coin on the table saying, "Always the best course in any business. Trust no one."

Nick decided he wanted to be rid of him quickly. He said perfunctorily, "I see an office of marble and glass. There is a large mahogany desk. A brass sign on it says, 'President.'"

"Excellent, my friend. Of course you know who I am. Everyone in Thackerville does. Go on."

Nick felt pushed off base. His mind was not working as coldly and analytically as it should. "You are worried about investments," he suggested, picking up the clue.

Chinter's lips parted again, but this time the smile was not amiable. "Every banker worries about investments," he said. "But if I wanted financial information I wouldn't come to you. Is that the best you can do?"

The anger he always seemed to feel against these bland, self-satisfied, well-to-do people possessed Nick. "There is an account at the bank that is causing you concern," he fished, but in safe enough waters. Every bank had at least one account like that. "You do not know how to get out of your difficulty at the moment. Also in this affair you are hindered by a woman." It was also true that in most tangled accounts where there was an overdraft there was usually a woman involved.

Chinter's smooth face remained expressionless. But in the hairless space between nostril and lip line Nick saw a bead of sweat which had not been there before. He switched to flattery.

"You are the sophisticated worldly type, too big for a small community. You belong where your talents would be more appreciated. You have a fatal attraction for

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women—young women. You are held back by people who do not understand you."

He was watching the banker closely through half-closed eyes as he reeled off the rote spiel he had given a half dozen others. Imperceptibly, almost, he saw Chinter's head nodding in agreement with each point. "Your heart rules your mind. You are generous to a fault. You . . ." He paused, suddenly remembering something that June Purvey had said—"Clytie works at the bank, you know"—a hunch! If he could make this sneering man squirm a little . . .

Nick pinioned the banker hypnotically with his red-rimmed eyes and continued, "I see a ring. A diamond ring in the hands of a blonde woman, a young girl . . ." Had there been no reaction to this he would have said, "but this does not concern you."

But there were now three beads of sweat on the mouth and one coursing down the chin. Nick gambled. "The diamond ring is a present. Yet she dare not wear it. I see her again on a railroad train. She is nervous. There is an address in her bag. I cannot read it clearly but it is the name of a hotel in Kansas City."

He stopped. Chinter did not move. "Go on," he said hoarsely, "what else do you know?"

Bull's-eye! Clytie Vroom, then, had gone to her married lover in panic and told him the mind reader had learned her secret. But why had he come there when Clytie had not named him? What further did he fear? With what other guilt was he burdened?

Nick remembered June Purvey saying, "If the murderer came here, you'd know it." But banker Chinter was the one man who could not have committed the murder for which Erd Wayne was to hang, since he knew that the widow Booth kept her money in his bank and not in her house. Therefore . . .

Nick's sordid, cynical mind was now spinning now like the drive wheel of a locomotive, weighing, testing, remembering. Figures flashed through his head—the sum of $1,500, the widow's fortune—enough to buy a diamond ring and other gifts. Who would have easier access to it than banker Chinter? He had only to take it. But if the widow had found out . . .

The atmosphere in the booth was suddenly thick and heavy with animal fear as Nick droned, "I see the woman who hindered you with the account that was giving you difficulty. She will hinder you no longer. She is dead."

"Aaaaaah!" A long sigh came from the man on the other side of the table. His right hand dropped casually to his side.

"I see the widow Booth in her kitchen. Outside there lurks a man who must silence her at all costs. The hired man, Wayne, enters, disturbing his plans. But the man out-

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side sees in him the chance to kill and let another hang for it. *And I know why the murderer had to silence the widow . . .*"

The explosion of the gun burst shockingly over the noises of the midway and filled the narrow booth with black smoke and powder stink. But the bullet passed harmlessly through the roof, for Nick had seen the glint of metal creeping from the hip pocket where a right-handed man's wallet ought to be, and had kicked viciously under the table, spoiling his aim.

Then he kicked him twice more in the same spot, disabling him into a groveling wreck on the floor as men, carnies and passers-by, led by the ubiquitous Sheriff, rushed in.

The latter shouted, "I warned you to keep out of trouble. By God, it's Mr. Chinter. You'll swing for this, Baba . . ."

The old man stared at him. "You're mighty quick with that rope, Sheriff. He's got the gun, not me."

Bowers, the carnival boss, had arrived. He took in the situation. "Yeah, Sheriff, take it easy. This bozo, whoever he is, tried to murder one of my men."

Nick began to laugh, a horrid, high-pitched cackle. "Rats, are we?" he gasped, "thieves, rascals, scalawags, eh? You'll keep an eye on us! What about that sweet-smelling hypocrite there? There's your real murderer of the widow Booth. Are you or aren't you, banker Chinter?"—and Nick raised his foot again.

The wreck moaned, "Yes. Oh, God, don't kick me again."

The fortuneteller croaked on, "He embezzled the widow's funds to buy his doxy a diamond and other things. Go ask Clytie Vroom to show you the ring. When the widow discovered her money was gone he had to kill her to keep her quiet."

And he added, "You're through, Sheriff. You hang too fast in this county."

He touched the prone man with his foot as though he were filth and said, "Go on. Get that trash out of here."

The crowd withdrew with the Sheriff and his prisoner, following them silently. Nick Jackson began to set his booth to rights again. He bit off a large chew of tobacco, picked up the overturned table and chair, and fixed the curtain. He fingered the hole in the clapboard roof made by the .38 caliber bullet, and then he grinned. Lack of courage was not one of his failings. He readjusted his turban which had fallen awry in the brief melee and sat down looking moodily before him.

The curtain stirred and parted, admitting June Purvey. She was white, but her eyes were shining with joy. She said, "I heard what happened—what you did. They told me they're a-going to set Erd free tomorrow."

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Nick nodded. In the excitement of the shooting he had forgotten all about the girl and the man she loved. Then he made a strange admission. "You helped," he said. "Erd owes you a lot. It was you told me Clytie worked in the bank."

She said swiftly, "I'd never let him know."

Nick said, "Mirza Baba reads the future. Erd's your man."

Tears fell from the lovely eyes again. She opened her purse and took out the 40 dollars. "It's all I've got," she said, "but I could mail you a dollar a week for as long as you say."

Nick looked at the money and at the girl. "All right," he said, "gimme it." He took it from her. "You don't need to pay any more. We're square."

June cried, "Oh thank you, thank you, dear Mr. Baba!" Then, going to him, she put her arms around him and kissed him on the side of his bitter, tobacco-stained mouth, and, turning quickly, she ran out.

The old faker remained sitting there, the wad of bills in one hand. With the fingers of the other he touched the spot that she had kissed, rubbing at it as though the imprint of such goodness, purity, and innocence were something searing and unbearable. He felt older and more in need of a drink than he ever had before and, for the first time in his life, strangely desolate and forlorn.

When Mr. Gallico's story was published in England, the British editor felt it necessary to change certain words and phrases—obviously to make the story more understandable to the British reader. American editors often do the same thing for the "benefit" of American readers, and we plead guilty to this type of literary nationalism. The changes, however, are always interesting—as witness those listed below. Whether such editorial practice is good or bad, we really don't know; but we are sure of one thing—it makes a surprising difference in the general tone of a story and in the authenticity of its "local color."

American usage	*English usage*
midway	*fairground*
dime museum	*fun fair*
shill	*tout*
two-bit piece	*coin*
barber shop	*barber's shop*

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hayseeds	*clodhoppers*
ten-cent-store diamond	*sixpenny diamond*
sparkin'	*flirtin'*
the ponies	*the race track*
frozen custard stand	*ice-cream stall*
President (of a bank)	*Manager*
felt pushed off base	*felt at a loss*
Hurry, hurry, hurry!	*Walk up! Walk up!*

As the Frenchman once said about something else altogether: "Vive la différence!"

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- ☐ 887 Judgment On Deltchev, *Eric Ambler*
- ☐ 929 Himalayan Assignment, *F. van Wyck Mason*
- ☐ 981 The Big Heart, *William P. McGivern*
- ☐ 1021 Murder With Mirrors, *Agatha Christie*
- ☐ 1034 Walk Out On Death, *Charlotte Armstrong*
- ☐ 1044 The Long Goodbye, *Raymond Chandler*
- ☐ 1058 Murder's Nest, *Charlotte Armstrong*
- ☐ 1096 Dr. Hudson's Secret Journal, *Lloyd C. Douglas*
- ☐ 1105 Waterfront Cop, *William P. McGivern*
- ☐ 1114 So Many Steps To Death, *Agatha Christie*
- ☐ 1115 Two Tickets For Tangiers, *F. Van Wyck Mason*
- ☐ 1136 Sinners And Shrouds, *Jonathan Latimer*
- ☐ 1140 Invisible Man, *H. G. Wells*
- ☐ 1151 Hickory Dickory, Death, *Agatha Christie*
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- ☐ 2320 The High Window, *Raymond Chandler*
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Have the crown (ironhat — derby to us lesser mortals), the royal robes (herringbone blanket with a belt in the back — that is to say, a Broadway sports jacket), and the scepter (metal persuaders — otherwise, brass knuckles) of the great Damon Runyon found a claimant at last?

Try this one for size . . .

SILKY STOOPS TO CONQUER

by JOE MACKEY

I AM ANKLING ALONG WEST-FORTY-two Street, minding my own nefarious business, when, right in front of a penny arcade, I get a tap on the shoulder. As I am a tappee many times, I am a connoisseur of taps, and I know this is no hello-tap from a pal, or a mooch-tap from a guy trying to bum a butt. I do not even have to turn around to tell whether the tapper is wearing a uniform or plain clothes; harness bulls are more ungentle.

As I look over the shoulder I encounter the grinning Killarney map of one Detective Lieutenant Brannigan and realize that some rat has ratted.

"Well, well, Lieutenant," I ad lib. "How are you?"

"Fine, Silky," he says, "but I understand you sink lower than even your usual questionable pursuits and are now peddling feelthy peectures."

I am affronted to the quick by this canard and am about to make with the mouth, but Brannigan says quietly, "Leave us take a stroll over to the house and delve into the matter there." When they speak quietly you do not horse around.

Guys like me get a tap, a frisk, and a collar from time to time because, at varying intervals, we are liable to have large sums of moola we do not always acquire by the Marquis of Queensboro rules. But this I tell you: they never find any dirty pictures on Silky Collins, or dope, or any severe weapons, or any loot obtained via these sources.

Some things a guy just does not get mixed up in. As for violence, that is stupid if the old cerebellum can do the trick. I sooner con a character out of twenty than strong-arm him for half a C, because that shows how much smarter I am than he is. Silky lives by the sweat of his wits—and has been so doing for lo these eight years since leaving, by request, the gainful but trammeling field of what is nicknamed

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(by jerks) legitimate salesmanship.

As I am accompanying this Javert joker toward the station house I ruminate about the events—beginning only two short days hence ago—that lead me to this plight.

I remember, day before yesterday, whilst away from the track and other nimble but temporarily non-profit-making schemes to make the buck, I happen to find myself a few blocks west of T. Square. It occurs to me I am near the office of this guy who mails out photos and booklets you might call, for want of using an uncouth word, spicy.

In my bouncings around I meet a lot of oddballs and foul balls, but in my book this creep is a claimant for the daily double in the latter category. To put it politely, I look down on his means of livelihood.

However, he never does me any dirt, so I always let bygones be bygones. Nevertheless, I never before think of visiting him, and this time only because I recall the grapevine says the new chick who is helping him in the office and whatnot is dream stuff. Being as I am in the neighborhood, I decide to wander in, maybe toss a few insults over his head, and give her the once-over or twice-over, as the case may call for.

His lair is in a crumb office building that looks like it *never* sees better days. I wake up the wino sitting in the dungeon elevator and he rides me up to the 4th floor, where I find an elderly glass door which says: *Fine and Lively Arts Books.*

I walk in and see a peaches-and-cream redhead, maybe nineteen, clobbering a typewriter. From where I stand, she is about 38-26-38, but with a little of the empty in the eyes.

"Hell-o!" I tell her with that Silky Collins élan. "Mr. G. in?"

"No," she says, "he is out of town for two days."

Right away this tells me plenty about her. Although she is round in various places she is somewhat of a square. If the boss is in the sticks for two days, why all the eager-beaver fury on the typewriter? Also, she should not tip a stranger he is out of town.

"Can I help you, Mr.—" She pauses, waiting for me to come across with the name.

Ever alert to a possible golden opportunity, I decide to withhold the identity. With the boss absent, there may be a profit bit here somewhere. Taking Mr. G. is a public service (if maybe not to *all* the public), but honesty compels I admit this is not my sole motive. Silky is interested also in private service.

"Marty Babcock," I say, in memory of a trusty I once know upstate, and even as I am talking and perpetrating the charm I am looking for an angle. I must stall till the right idea hits, so I tell her with a mild leer I like to purchase some books.

"Certainly, Mr. Babcock," she

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says. "What kind would you like?"

"What kind do you suggest?" I say, giving it the Groucho eyebrow bit.

"It depends on what you are interested in," she says, sweeping a delectable arm toward book racks that rise from dusty floor to dustier ceiling, and tables swaybacked under old tomes and magazines.

"Oh, leave us start with the form divine," I say.

She points to a shelf and I quickly gander through a few octavos. Landscapes. Still lifes. Fat dames like they have up at the Met—both Mets, in fact, the grand old opry and the museum. (The only reason I am on to these dens of culture is that one has a tempting array of ice on the patrons and the other an inspiring collection of art treasures, if one could but figure a way to put the snatch on them.)

"Diviner than these," I tell her.

She points to a mess of nudie mags like the ones which clutter up the newsstands.

Through all this I am still seeking the angle. I would not lift any of this trash, and certainly not any of Mr. G.'s prize swill, though I wonder where he stashes it.

"How about torrid literature?" I question.

She tightens her lips in what seems to be disapproval and waves a hand at a big table.

There I find lurid novels like you buy openly in any of those stores along 42d and 6th.

"Is this the best you can do?" I say. I am curious to observe this wide-eyed kid's puss when she shows me the real dirt.

"I'm afraid it is, Mr. Babcock," she says, looking 50-50 scared and sore. "Maybe you come to the wrong place."

Two thoughts cross the wire to me in a photo finish. One, that what I can use from Mr. G. is his sucker list. And two, that this kid is really more the Bo Peep type than the bebop, despite the sensational façade and backçade. I see she just does not tumble she is working in a sewer annex.

The whole book company setup is just a front for Mr. G.'s sub rosa traffic, and she is an innocent part of the front.

"Maybe you better come back when my uncle is here," she says.

"Your uncle!" For a moment I drop my usual mask of imperturbability.

"Mr. G. is my uncle."

I begin disliking the uncle with more zest.

"*I* certainly do not know what you are looking for," she says.

I believe she knows what I have been hinting at but I am also convinced she does not know it is uncle's hottest commodity.

Suddenly I am contrite and charming. "I am sorry, Miss, I am only seeking to learn the real truth, shocking though it may be. I hear ugly rumors that unsavory photos and booklets are sold here and I

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determine never to set foot in the place again if that be true."

"It certainly is not true!" she cries.

So, if she does not know where the heart of the cesspool is, where is it? That is where the sucker list probably is, too.

"I know that now," I say, "so I buy another volume of the set of *Mesopotamian Love Lyrics.*"

"I never hear of *them,*" she says, looking around. "Where does he keep them?"

"I do not know. I always order by mail. Maybe he keeps them locked up in another room."

"There *is* no other room. Except the 'storeroom' he calls it, and that is not locked. It does not have to be —no one would go in, it is such a pigsty. I ask him to have it cleaned up, but no."

"Aha. That is it. These books are so exquisite he wants to keep them away from the eyes of the herd."

"Excuse me," she says. "You are crazy. Nobody would keep anything nice in there. No one even goes in there but him, it is so dirty."

"I am sure that is the place. There the books are safe from the pawing mob."

"Well, I am sorry, I do not step into that trash. You will have to wait till my uncle gets back."

"Do you mind if *I* go in and look?"

"You will ruin your clothes."

"These books are worth it."

She shrugs and gives me a Ward 9 look, and she goes back to typing.

I go down to the entrance of the storeroom and am hidden from her by the book racks. To even get into the room I have to climb over a couple broken old office chairs, a dented wastebasket, and a gooseneck lamp. Beyond the door the mess goes into high gear. There is only a little light from one grimy window and before I find an overhead pull cord I strain a few tendons tripping over stuff. In the light the dump defies description. Scattered all over is beat-up office equipment, old cartons, a gallon jug of glue, a couple magnums of ink (or maybe it is embalming fluid), and assorted junk by the galore. Over in the corner is a Gay '90s type wood filing cabinet with six drawers big enough to hide a lamister in.

I make my way over to the cabinet and see the drawers are marked *Dead Files.* With my unerring intuition for how a mind like uncle's works, I am confident this is the hiding place. Like I say, I do not carry weapons, but I have a penknife, a nail file, and some handy skeleton keys, and with these I pry open the two bottom drawers.

I yank away the old newspapers on top, and there is a collection of thousands of the kind of pix and pamphlets that belong in a *Dead File*—or, better yet, in a bottomless pit. I grope around the drawers and am rewarded with a small folder. I open it and there, pretty as you

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please, is a typewritten list of about seven pages of names. I fold it and put it in my pocket.

I hear the kid still typing outside. Now, I am no Galahad and Shean, but the idea of this kid, innocent but nice, working in such a den of iniquity for such a guy arouses my nobler instincts and I start ripping up the garbage in the drawers till my fingers ache. Then I pour the ink over the pieces and give the whole deal a glue chaser.

I douse the light, flounder out, and brush myself, looking like I have been boarding with John Barleycorn. The typing stops and the kid looks up.

"I was wrong," I say.

"You look it," she says.

"*Mesopotamian Love Lyrics* are not in there. Can I use your typewriter a few minutes? I want to leave a message for your uncle." I sit down and two-finger: *Marty Babcock will be in touch.* I hand it to the kid; then I take out the list, insert it in the typewriter, and give it several Silky Collins touches.

Putting it fondly in my largest money pocket, which at the moment also is the emptiest, I bid the kid (it is hard to conjure up the word kid when you are confronted by her dimensions) a respectable adieux.

"Uncle will be sorry to hear you have so much trouble," she says.

"Everything evens up, girlie," I tell her, not unkindly, and I am off with a jaunty wave.

I buzz for the elevator and the wino tells me he was just going out for supper when he hears my ring and comes back. Benign in the flush of my ill-gotten gains, I reward him with two bits and walk out into the darkening street with a spring in my step. I am scheming happily about how I can handle the sucker list most lucratively.

There are several winsome possibilities. I can sell it to one of Mr. G.'s rivals, or, with a smile from Dame Fortune, to a couple of them, and maybe even start a price war that will annihilate their crummy business. I can offer to sell it back to Mr. G. himself. I can threaten him that I will turn it over to the cops—though, of course, this is pure fantasy and I decide I do not want even a creep like him to think me capable of such baseness. Or I can threaten to turn it over to some naughty boys who traffic in blackmail and can make it hot for the listees and Mr. G.

I can follow up these angles either by myself or, if necessary, with the help of a trustworthy accomplice such as Bad-Eye Moran, Gong-Gong Jones, or Little Sam—guys who have shared unconstitutional ventures with me in the past. Though, to be sure, the less people in on the deal, the more loot for Silky. I decide to sleep on it, but in anticipation of imminent moola, I wrap myself around a T-bone and a small bevy of bourbons before hitting the disreputable hostelry I patronize between scores.

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In the early A.M., about a quarter to ten, I am awakened by a boy-loses-girl argument in the next room, and discerning by a little sun filtering through my window that it is daylight, I take a fast shower down the hall and make my toilette. Like a thoroughbred champing at the bit, I am eager to get on with my machinations. So after coffee-and, I make a call to Mr. G.'s to see if he is back in town. Luscious 38-26-38 tells me he is not.

I do not have the stake to go to the track, and with the list burning a hole in my pocket I am in no mood to just fritter away my time. So I decide to approach a couple of Mr. G.'s competitors. There is one guy, Itch, has a setup similar to Mr. G.'s on West Forty-six, and I head there first.

A long-time under-the-counter operator, Itch looks at me with his friendliest expression, which is to say, sideways through slitted eyes.

"Siddown, Silky," he says, not because of courtesy, I suspect, but because he does not like anyone standing over him.

"I have come into possession of a list very good for your purposes," I tell him.

"Two questions," he says. "Whaddaya mean, my purposes, and whaddaya mean, you come into possession of?"

I am nettled by his attitude and retort rather sharply. "I mean your purposes of dispensing pornography to those who go in for that type of art. By come into possession of, I mean acquire, latch on to, steal."

"Now we are leveling," he says, rubbing his hands. "Leave me see the list."

I pull out the list but keep a good hold on it. "This I cannot do, Itch. Maybe you got a photographic memory. All I can say, it has got about a thousand names of tried-and-true customers for your type stuff."

"How do I know it is legit.?"

I make an injured face. "I do not swindle a guy like you, Itch. Only squares and chiselers."

He nods. "If the list is not the McCoy, you need new bridgework. Thirty bucks."

I laugh. "I give thirty bucks tip to the barber."

He eyes the shine on my pants, a temporary condition brought on by horses with tired blood, and cracks. "Yeah, but not lately."

"One oh-oh," I say.

"Drop me a card from the restraining sheet," he says, turning away.

"Eighty," I parry, "and I am losing money."

"Look, Silky, there are lists for evvything. I can buy a list of guys interested in evvything from butterflies to physic phenomenons. Lists of sexpot customers are a dime a dozen, but since you assure me this is a real honest stolen one, I will go for forty. Period."

"I owe it to myself to shop

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around, Itch. Maybe I be back. Maybe."

I take my leave and during the afternoon and the next morning I sully myself by visiting the traps of several other dealers in sex stuff, all the way down to Dirty Moe on Canal Street, but the best offer I get is forty. The dough notwithstanding, I learn a new disrespect for this element. I decide my best bet is to deal with Mr. G., then to wash my dukes of the whole tribe.

I figure I will carry on negotiations with Mr. G. on the phone and, depending on how things shape up, determine then whether to close the deal in person or send a reliable emissary who is glib at ducking a punch if the need arises.

I dial *Fine and Lively Arts Books,* get Mr. G. himself, and announce, "This is Marty Babcock."

At the other end there are some coughing and choking sounds like a batch of kittens are being drowned, then Mr. G. finally splutters, "What is this Marty Babcock, an enemy? Why do you destroy my stock?"

"Calm down," I advise. "I do not like your wares and I lose my head."

"What are you, a religious nut or something?"

"You can get more stock," I mollify.

"Taking the bread out a man's mouth," he mutters. "You should be ashamed."

"I got good news for you," I go on, ignoring him. "I got your list."

"Who are you, anyway?"

"Personalities are not important," I tell him. "The important thing is, you want your list back?"

"Of course I want my list back!"

"How much?"

"What how much? Whose list is it?"

"Right now, Mr. G.," I remind him gently, "it is my list. How much?"

"You are a crook, whoever you are!" he yells.

"Losing our head will only lead to ill feeling," I say. "Leave us conduct these negotiations like gentlemen."

"A fine gentleman, robbing the sucker list off an American citizen and defacing his merchandise. Okay, keep the lousy list, keep it! You think I do not have a copy?"

A slight hitch, I think, so we go on to Plan 2. "You miss the point, Mr. G., which is that *I* have the list too, irregardless of what you have. I can peddle it elsewhere."

"Yeah? Where?"

"Oh, I got contacts. Dirty Moe, for instance."

"Dirty Moe!" He laughs. "Dirty Moe does not handle the type clientele I cater to."

"A weirdie is a weirdie. I sell the list to a rival and you lose some customers."

"The woods is full of jerks and more coming all the time," Mr. G. says. "Go ahead, sell."

Plan 2 falls by the wayside and

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I proceed into Operation Pressure.

"You know," I say reflectively, "I hate to think what happens if your list falls into the wrong hands."

"It has already."

"No, I mean suppose some real bad guys get hold of it. You know, like crumbs who are not above blackmail. Say they give a hard time to some of the characters on your list. This, alas, can have repercussions on you."

There is a pregnant pause, then Mr. G. says, too casual, "How about you drop down and we talk the whole thing over?"

I can hear the brass knuckles rattling in his head, and I determine that any meeting with Mr. G. is going to be in a public place. I also decide it is prudent to assign the actual physical meeting to my punchy but staunch friend, Gong-Gong Jones, who can absorb blows on his person like a rhino.

"All right," I tell him, "we set up an appointment, but not in your trap. In the cafeteria across from The Weeper's newsstand on Forty-two Street. And I stay out of it. For personal reasons I prefer to remain anonymous. I send down a representative. And, remember, no crosses and no muscle, or I become your public relations counsel."

"I do not get it," he says.

"Anything happens to my tiger, maybe I get you some publicity. Maybe I decide you are a skulking violet too long and bring your fragrance out into the open. Maybe I give a large story to the papers."

"Do not worry," he says. "I know when I am licked fair."

We set the time for 5 in the P.M. and, a job well done, I emerge from the phone booth with a sparkle in my eye and head along Forty-two Street on my way to find Gong-Gong.

This is precisely when Detective Lieutenant Brannigan finds me.

As Brannigan and I are walking to the station house, I speculate about who rats on me. Not Mr. G., because he does not know I am the guy who has been dealing with him. The niece never sees me before. I decide it is one of Mr. G.'s rivals, sore because I do not sell him the list. Which one, I probe into after I shake the toils of the law. Such tattling cannot go unreprimanded.

We pass the familiar green lights of the police station and Brannigan says, "Into the Detectives' Room, Silky. I think you know the way."

I, of course, catch the implied slur on my character and record, but I do not bandy words. I walk into the room, which is populated by a couple of dicks.

"Hello, Silky," says one, giving me a funny smile. "Come in and sit down. You may be here a while."

"Peddling filth," another dick says reproachfully. "This is beneath you, Silky."

"But not much," cracks another flatfoot whom I do not like, even

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though he has never put the pinch on me.

"Whoever spreads such a story is fresh out of marbles," I retort hotly. "You guys should know by this time I work with the brain."

"Old Slippery finally slips," says my *beat noir*. "Maybe this time we put you on ice for a while."

"I am innocent," I say, and the saddest funnyman of them all makes like he is playing a violin.

Brannigan comes in and tells me to stand up. He gives me a very thorough frisk, including even the shoulder blades and calfs.

"You know I do not pack anything," I say.

"Sheddep and empty your pockets."

I take out my wallet, which contains some personal but not incriminating papers, two dice and a spare, a slightly beveled poker deck, a corkscrew, a bottle opener, a bobtail sheet, keys—all stuff any guy might carry. The only jarring note is the list, and of course Brannigan pounces on that. He scans the first page, waves it triumphantly at the other dicks, and then gives me the old Hawkshaw eye.

"No use stalling, Silky," he says. "We get information you have a list of wrongos who buy pornography. This must be it. Where is the stuff?"

"Never in all my life," I protest, "do I handle anything of that ilk."

Brannigan's evil eye gets eviller. "Do you deny this is a list of customers for pornography?" he yaps.

"I do not know, frankly, what it is."

"You are lying!" he yells, growing, it seems to me, about four inches taller.

"I do not lie," I lie. "I find the list on a table in a cafeteria and, since I am unable to locate the Lost and Found office, I slip it in my pocket and forget about it."

Brannigan makes a face like he eats an oyster in a year without any Rs in it and the other dicks shake their heads. The one I especially do not like says, "Maybe we help him remember."

"There is plenty time," Brannigan says. "Maybe all we have to do is throw a scare into a few of the creeps on the list, then we get the truth." He runs his finger down the names on the first sheet. "Abbott, Leopold V.," he says, "Arkwright, Felix; Bachrach, S. K."

I am watching him peruse the list and I see his mouth suddenly drop open. He darts me a look and goes back to the list. On Page 2 his mouth drops open again and he beckons to one of the other dicks. The guy looks at the list and does a double-take. The whole crew goes over in the corner and are reading the list and whispering and shooting glances at yrs. truly. Finally Brannigan comes back and looks down at me a long time.

"Okay, Silky," he says. "So it cannot be a list of customers for dirty pictures."

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"I tell you that from the outset," I say innocently.

"Yeah. Awright, get lost." He waves toward the door.

I arise and brush some invisible lint from my sleeves. I smile winningly and hold out my hand. "The list?" I broach.

"G'wan, beat it," Brannigan growls.

"But the list—"

"You find it in a cafeteria, right? Okay, we return it to the rightful owner."

"You are confiscating it? This is an outrage."

"Silky," Brannigan says very softly. "Quit while you are ahead."

I realize I am in an untenable position, so I content myself with muttering, "A very high-handed business." Then I walk out before anybody reconsiders.

I almost reach the street when Brannigan calls to me and walks up.

"Silky," he says, surprisingly friendly, "you duck the boom this time, but you keep riding around a volcano on a unicycle and you are going to fall in. You are an engaging character and no stupe, so—and I am not a cop talking now—why do you have to hustle and promote all the time?"

I size him up and see he is not giving me the business.

"To be truthful, Lieutenant, I am a chronic fan of the easy buck."

"Easy! Juggling all your angles, you work harder than a coolie. Why do you feel you must take people for a living?"

"I happen to be one of the world's hottest salesmen, that is why. You know, before I leave my last job eight years ago I establish a company record of selling 37 vacuum cleaners in four days."

"If you can sell like that, why not go back to the legit.?"

"There is a small black mark against me," I explain. "You see, I sell the same vacuum cleaner to all 37 customers."

Brannigan sighs and gives me a what's-the-use shrug. "Okay, Silky. See you in the lineup."

On the steps outside the station house I reflect that he is not going to see me in the lineup as long as the old gray matter is in the pink. For instance, it shows real foresight on my part when I doctor up the list on Mr. G.'s own typewriter, inserting a few well-chosen names like those of judges, politicians, and other pillows of society.

I regret, however, that I do not prepare for the eventuality of the list being taken off me permanently by the law. Hereafter, I make a copy of any negotiable document.

Now I have the quandary of conning Mr. G. out of some cabbage without having the list. Oh, well, I philosophize, combing my hair before I head for Gong-Gong's, this is the kind of a challenge that makes life interesting.

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An amusing tale of a lawyer's first case — by the author-half of the famous Gilbert and Sullivan collaboration . . .

MY MAIDEN BRIEF

by W. S. GILBERT

LATE ON A CERTAIN MAY MORNING, as I was sitting at a modest breakfast in my "residence chambers," Pump Court, Temple, my attention was claimed by a single knock at an outer door, common to the chambers of Felix Polter and of myself, Horace Penditton, both barristers-at-law of the Inner Temple.

The outer door was not the only article common to Polter and myself. We also shared what Polter (who wrote farces) was pleased to term a "property" clerk, who did nothing at all, and a "practicable" laundress, who did everything. There existed also a communion of interest in tea cups, razors, gridirons, candlesticks, etc.; for although neither of us was particularly well supplied with the necessaries of domestic life, each happened to possess the very articles in which the other was deficient. So we got on uncommonly well together, each regarding his friend in the light of an indispensable other self. We had both embraced the "higher walk" of the legal profession, and were patiently waiting for the legal profession to return the compliment.

The single knock raised some well-founded fears in both our minds.

"Walker," said I to the property clerk.

"Sir?"

"If that knock is for me, I'm out, you know."

"Of course, sir."

"And Walker," cried Polter.

"Sir?"

"If it's for me, I'm not at home."

Walker opened the door. "Mr. Penditton's a-breakfasting with the Master of the Rolls, if it's him you want; and if it isn't, Mr. Polter's with the Attorney-General."

"You don't say so!" remarked the visitor; "then you'll give this to Mr. Penditton, as soon as the Master can make up his mind to part with him."

And so saying, the visitor handed Walker a lovely parcel of brief paper, tied up neatly with a piece of red tape, and minuted —

Central Criminal Court, May Sessions, 18 —. — The Queen on the prosecution of Ann Black v. Elizabeth Briggs. Brief for the prisoner. Mr. Penditton, one guinea. — Poddle and Shaddery, Brompton Square.

So it had come at last! Only an Old Bailey brief, it is true — but still a brief. We scarcely knew what to make of it. Polter looked at me,

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and I looked at Polter, and then we both looked at the brief.

It turned out to be a charge against Elizabeth Briggs, widow, of picking pockets in an omnibus. It appeared from my "instructions," that my client was an elderly lady, and religious. On the 2nd of April last, she entered an Islington omnibus, with the view of attending a tea and prayer meeting in Bell Court, Islington. A woman in the omnibus missed her purse, and accused Mrs. Briggs, who sat on her right, of having stolen it. The poor soul, speechless with horror at the charge, was dragged out of the omnibus, and as the purse was found in a pocket in the left-hand side of her dress, she was given into custody. As it was stated by the police that she had been "in trouble" before, the magistrate committed her for trial.

"There, my boy, your fortune's made," said Polter.

"But I don't see the use of my taking it," said I. "There's nothing to be said for her."

"Not take it? Won't you though? I'll see about that. You *shall* take it, and you shall get her off, too! Highly respectable old lady — attentive member of well-known congregation — parson to speak for her character, no doubt. As honest as you are!"

"But the purse was found on her!"

"Well, sir, and what of that? Poor woman left-handed, and pocket in left of dress. Robbed woman right-handed, and pocket in right of dress. Poor woman sat on right of robbed woman. Robbed woman, replacing her purse, slipped it accidentally into poor woman's pocket. Ample folds of dress, you know — crinolines overlapping, and all that. Splendid defense for you!"

"Well, but she's an old hand, it seems. The police know her."

"Police always do. 'Always know everybody' — police maxim. Swear anything, they will."

Polter really seemed so sanguine about it that I began to look at the case hopefully, and to think that something *might* be done with it. He talked to me with such effect that he not only convinced me that there was a good deal to be said in Mrs. Briggs's favor, but I actually began to look upon her as an innocent victim of circumstantial evidence, and determined that no effort should be wanting on my part to procure her release from a degrading but unmerited confinement.

Of the firm of Poddle and Shaddery I knew nothing whatever, and how they came to entrust Mrs. Briggs's case to me I could form no conception. As we (for Polter took so deep a personal interest in the success of Mrs. Briggs's case that he completely identified himself, in my mind, with her fallen fortunes,) resolved to go to work in a thoroughly businesslike manner, we determined to commence operations by searching for the firm of Poddle and Shaddery in the *Law List*. To our dismay the *Law List* of that year had no record

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of Poddle, neither did Shaddery find a place in its pages. This was serious, and Polter did not improve matters by suddenly recollecting that he once heard an old Q.C. say that, as a rule, the farther west of Temple Bar, the shadier the attorney; so that assuming Polter's friend to have been correct on this point, a firm from Brompton Square whose name did not appear in Mr. Dalbiac's *Law List* was a legitimate object of suspicion.

But Polter, who took a hopeful view of anything which he thought might lead to good farce "situations," and who probably imagined that my first appearance on any stage as counsel for the defense was likely to be rich in suggestions, remarked that they might possibly have been certificated since the publishing of the last *Law List;* and as for the *dictum* about Temple Bar, why, the case of Poddle and Shaddery might be one of those very exceptions whose existence is necessary to the proof of every general rule. So Polter and I determined to treat the firm in a spirit of charity, and accept their brief.

As the May sessions did not commence until the 8th, I had four clear days in which to study my brief and prepare my defense. Besides, there was a murder case, and a desperate burglary or two, which would probably be taken first, so that it was unlikely that the case of the poor soul whose cause I had espoused would be tried before the 12th. So I had plenty of time to master what Polter and I agreed was one of the most painful cases of circumstantial evidence ever submitted to a British jury; and I really believe that by the first day of the May sessions I was intimately acquainted with the details of every case of pocket-picking reported in *Cox's Criminal Cases* and *Buckler's Shorthand Reports.*

On the night of the 11th I asked Bodger of Brasenose, Norton of Gray's Inn, Cadbury of the Lancers, and three or four other men, college chums principally, to drop in at Pump Court and hear a rehearsal of my speech for the defense, in the forthcoming *cause célèbre* of the Queen on the prosecution of Ann Black *v.* Elizabeth Briggs. At 9 o'clock they began to appear, and by 10 all were assembled. Pipes and strong waters were produced, and Norton of Gray's was forthwith raised to the Bench by the style and dignity of Sir Joseph Norton, one of the Barons of Her Majesty's Court of Exchequer; Cadbury, Bodger, and another represented the jury; Wilkinson of Lincoln's Inn was counsel for the prosecution, Polter was clerk of arraigns, and Walker, my clerk, was the prosecutrix.

Everything went satisfactorily; Wilkinson broke down in his speech for the prosecution; his witness prevaricated and contradicted himself in a preposterous manner; and my speech for the defense was voted to be one of the most masterly specimens of forensic ingenuity that had ever come before the notice of the Court; and the consequence was that the prisoner

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(inadequately represented by a statuette of the Greek slave) was discharged, and Norton, who would have looked more like a Baron of the Exchequer if he had looked less like a tipsy churchwarden, remarked that she left the Court without a stain on her character.

The Court then adjourned for refreshment, and the conversation took a general turn, after canvassing the respective merits of "May it please your ludship," and "May it please you, my lud," as an introduction to a counsel's speech — a discussion which ended in favor of the latter form, as being a trifle more independent in its character. I remember proposing that the health of Elizabeth Briggs should be drunk in a solemn and respectful bumper; and as the evening wore on, I am afraid I became exceedingly indignant with Cadbury, because he had taken the liberty of holding up to public ridicule an imaginary (and highly undignified) *carte de visite* of my unfortunate client.

The 12th of May, big with the fate of Penditton and of Briggs, dawned in the usual manner. At 10 o'clock Polter and I drove up in wigs and gowns to the Old Bailey. Impressed with a sense of the propriety of the occasion, I had taken remarkable pains with my toilet. I had the previous morning shaved off a flourishing mustache, and sent Walker out for half a dozen serious collars, as substitutes for the unprofessional "lay-downs" I usually wore. I was dressed in a correct evening suit and wore a pair of thin gold spectacles; and Polter remarked that I looked "the sucking Bencher to the life." Polter, whose interest in the accuracy of my "get-up" was almost fatherly, had totally neglected his own: he made his appearance in the raggedest of beards and mustaches under his wig, and the sloppiest of cheap drab lounging-coats under his gown.

I modestly took my place in the back row of the seats allotted to the Bar; Polter took his in the very front in order to have an opportunity, at the close of the case, of telling the leading counsel, in the hearing of the attorneys, the name and address of the young and rising barrister who had just electrified the Court. In various parts of the building I detected Cadbury, Wilkinson, and others, who had represented judge, jury, and counsel on the previous evening. They had been instructed by Polter (who had had some experience in "packing" a house) to distribute themselves about the Court and at the termination of the speech for the defense, to give vent to their feelings in that applause which is always so quickly suppressed by the officers of a court of justice. I was rather annoyed at this, as I did not consider it altogether legitimate; and my annoyance was immensely increased when I found that my three elderly maiden aunts, to whom I had been foolish enough to confide, were seated in state in that portion of the room allotted to friends of the Bench and Bar, and busied themselves by in-

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forming everybody within whisper-shot that I was to defend Elizabeth Briggs, and that this was my first brief.

At length the clerk called the case of Briggs, and with my heart in my mouth I began to try to recollect the opening words of my speech for the defense; but I was interrupted in that hopeless task by the appearance of Elizabeth in the dock.

She was a pale, elderly widow, rather buxom, and neatly dressed in slightly rusty mourning. Her hair was arranged in two sausage curls, one on each side of her head, and looped in two festoons over the forehead. She appeared to feel her position acutely, and although she did not weep, her red eyes showed evident traces of recent tears. She grasped the edge of the dock, and rocked backwards and forwards, accompanying the motion with a low moaning sound, that was extremely touching. Polter looked back at me with an expression which plainly said, "If ever an innocent woman appeared in that dock, that woman is Elizabeth Briggs!"

The clerk now proceeded to charge the jury. "Gentlemen of the jury, the prisoner at the bar, Elizabeth Briggs, is indicted for that she did, on the 2nd of April last, steal from the person of Ann Black a purse containing ten shillings and fourpence, the moneys of the said Ann Black. There is another count to the indictment, charging her with having received the same, knowing it to have been stolen. To both of these counts the prisoner has pleaded 'Not Guilty,' and it is your charge to try whether she is guilty or not guilty." Then to the Bar, "Who appears in this case?"

Nobody replying on behalf of the Crown, I rose and remarked that I appeared for the defense.

A counsel here said that he believed that the brief for the prosecution was entrusted to Mr. Porter, but that that gentleman was engaged at the Middlesex Sessions in a case which was likely to occupy several hours, and that he (Mr. Porter) did not expect that Briggs's case would come on that day.

A consultation then took place between the judge and the clerk. At its termination, the latter functionary said, "Who is the junior counsel present?"

To my horror, up jumped Polter, and said, "I think it's very likely that I am the junior counsel in court. My name is Polter, and I was only called last term!"

A titter ran through the crowd, but Polter, whose least fault was bashfulness, only smiled benignly at those around him.

Another whispering between judge and clerk. At its conclusion the clerk handed a bundle of papers to Polter, saying, at the same time:

"Mr. Polter, his lordship wishes you to conduct the prosecution."

"Certainly," said Polter; and he opened the papers, glanced at them, and rose to address the court.

He began by requesting that the jury would take into consideration

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the fact that he had only that moment been placed in possession of the brief for the prosecution of the prisoner, who appeared from what he had gathered from a glance at his instructions to have been guilty of as heartless a robbery as ever disgraced humanity. He would endeavor to do his duty, but he feared that, at so short a notice, he should scarcely be able to do justice to the brief with which he had been most unexpectedly entrusted. He then went on to state the case in a masterly manner, appearing to gather the facts (with which, of course, he was perfectly intimate) from the papers in his hand. He commented on the growing frequency of omnibus robberies, and then went on to say:

"Gentlemen, I am at no loss to anticipate the defense on which my learned friend will base his hope of inducing you to acquit that wretched woman. I don't know whether it has ever been your misfortune to try criminal cases before, but if it has, you will be able to anticipate his defense as certainly as I can. He will probably tell you, because the purse was found in the left-hand pocket of that miserable woman's dress, that she is left-handed, and on that account wears her pocket on the left side; and he will then, if I am not very much mistaken, ask the prosecutrix if she is not right-handed; and lastly, he will ask you to believe that the prosecutrix, sitting on the prisoner's left, slipped the purse accidentally into the prisoner's pocket. But gentlemen, I need not remind you that the facts of these omnibus robberies are always identical. The prisoner always *is* left-handed, the prosecutrix always *is* right-handed, and the prosecutrix always *does* slip the purse accidentally into the prisoner's pocket instead of her own. My lord will tell you that this is so, and you will know how much faith to place upon such a defense, should my friend think proper to set it up."

He ended by entreating the jury to give the case their attentive consideration, and stated that he relied confidently on an immediate verdict of "Guilty." He then sat down, saying to the usher, "Call Ann Black."

Ann Black, who was in court, shuffled up into the witness box, and was duly sworn. Polter then drew out her evidence, bit by bit, helping her with leading questions of the most flagrant description. I knew that I ought not to allow this, but I was too horrified at the turn matters had taken to interfere. At the conclusion of the examination Polter sat down triumphantly, and I rose to cross-examine.

"You are right-handed, Mrs. Black?" (*Laughter.*)

"Oh, yes, sir!"

"Very good. I've nothing else to ask you."

So Mrs. Black stood down, and the omnibus conductor took her place. His evidence was not material, and I declined to cross-examine. The policeman who had charge of the case followed the conductor, and his evi-

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dence was to the effect that the purse was found in Elizabeth Briggs's pocket.

I felt that this witness ought to be cross-examined, but not having anything ready, I allowed him to stand down. A question, I am sorry to say, then occurred to me, and I requested his lordship to allow the witness to be recalled.

"You say you found the purse in her pocket, my man?"

"Yes, sir."

"Did you find anything else?"

"Yes, sir."

"What?"

"Two other purses, a watch, three handkerchiefs, two silver pencil cases, and a hymn book." (*Roars of laughter.*)

"You may stand down."

"That is the case, my lord," said Polter.

It was now my turn to address the court. What could I say? I believe observed that, undeterred by my learned friend's opening speech, I did intend to set up the defense he had anticipated. I set it up, but I don't think it did much good. The jury, who were perfectly well aware that this was Polter's first case, had no idea but that I was an old hand at it; and no doubt thought me an uncommonly clumsy one. They had made every allowance for Polter, who needed nothing of the kind, and they made none at all for me, who needed all they had at their disposal. I soon relinquished my original line of defense, and endeavored to influence the jury by vehement assertions of my personal conviction of the prisoner's innocence. I warmed with my subject (for Polter had not anticipated me here), and I believe I grew really eloquent. I think I staked my professional reputation on her innocence, and I sat down expressing my confidence in a verdict that would restore the unfortunate lady to a circle of private friends, several of whom were waiting in the court to testify to her excellent character.

"Call witnesses to Mrs. Briggs's character," said I.

"Witnesses to the character of Briggs!" shouted the crier.

The cry was repeated three or four times outside the court; but there was no response.

"No witnesses to Briggs's character here, my lord!" said the crier.

Of course I knew this very well; but it sounded respectable to expect them.

"Dear, dear," said I, "this is really most unfortunate. They must have mistaken the day."

"Shouldn't wonder," observed Polter, rather drily.

I was not altogether sorry that I had no character witnesses, as I am afraid that they would scarcely have borne the test of Polter's cross-examination.

Mr. Baron Bounderby then proceeded to sum up, grossly against the prisoner, as I thought at the time, but, as I have since had reason to believe, most impartially. He went carefully over the evidence and told the jury that if they believed the witnesses

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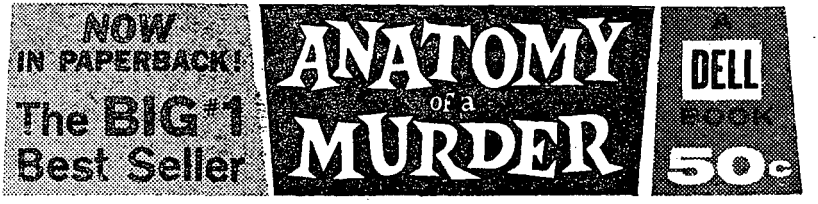
for the prosecution, they should find the prisoner guilty, and if they did not — why, they should acquit her. The jury were then directed by the crier to "consider their verdict," which they couldn't possibly have done, for they immediately returned the verdict of "Guilty." The prisoner not having anything to say in arrest of judgment, the learned judge proceeded to pronounce sentence — inquiring, first of all, whether anything was known about her?

A policeman stepped forward and stated that she had twice been convicted of felony in this court, and once at the Middlesex Sessions.

Mr. Baron Bounderby, addressing the prisoner, told her that she had been most properly convicted, on the clearest possible evidence; that she was an accomplished and dangerous thief; and that the sentence of the court was that she be imprisoned and kept at hard labor for the space of eighteen calendar months.

No sooner had the learned judge pronounced this sentence than the poor soul stooped down, and taking off a heavy boot, flung it at my head, as a reward for my eloquence on her behalf; accompanying the assault with a torrent of invective against my abilities as a counsel, and my line of defense. The language in which her oration was couched was perfectly shocking. The boot missed me, but hit a reporter on the head, and to this fact I am disposed to attribute the unfavorable light in which my speech for the defense was placed in a leading daily paper next morning.

I hurried out of court as quickly as I could, and hailing a hansom, I dashed back to chambers, pitched my wig at a bust of Lord Brougham, bowled over Mrs. Briggs's prototype with my gown, packed up, and started that evening for the west coast of Cornwall. Polter, on the other hand, remained in town, and got plenty of business in that and the ensuing session, and afterwards on circuit. He is now a flourishing Old Bailey counsel, doing very well, while I am as briefless as ever.



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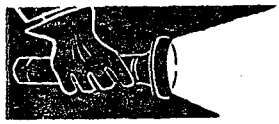

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recommended by ANTHONY BOUCHER

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HERNANDO CORTEZ, DETECTIVE

by THEODORE MATHIESON

ONE NIGHT, IN THE LAST WEEK OF June 1520, while I stood watch upon the ramparts of the palace of Axayacatl in Mexico, where we Spanish were under siege by the people of the lake-bound city, I was surprised and honored by the sudden appearance at my side of the great conquistador, Hernando Cortez — the same Cortez under whose inspired leadership we had established cities in the new world and by whose persistence and ingenuity we had penetrated to the heart of Mexico's capital city.

Cortez said nothing, but touched me upon the arm and motioned me to follow him. After I had surrendered my watch to the replacement Cortez had brought with him, I limped after my leader a little awkwardly, for an arrow had struck me in the foot the previous day during an engagement with the Mexicans.

Below in the corridor the captain maintained his silence until he lifted a burning faggot from an embrasure and held it up to look deeply into my eyes.

"Bernal Diaz del Castillo," he said, "I have need of a man I can trust. Will you come with me?"

Cortez, about thirty-four or -five at this time, was above middle height, with remarkably broad

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shoulders for one so slender; his face in the torchlight looked preternaturally pale and tense, and his dark eyes glowed with a feverish light.

"Anywhere, my Captain," I said.

"Come, then."

He led the way down the corridor, past the soldiers who guarded the chambers occupied by the emperor Montezuma and his family, whom Cortez had imprisoned, and into his own chamber, which overlooked the lake. Inside, four other officers were waiting, all standing; they saluted Cortez as he appeared.

"Now we are all together," said Cortez, "I shall tell you the purpose of this meeting." He started pacing energetically up and down between us. "On my conscience, my friends," said he, "unless we get out of Mexico within the week, we are likely to end our lives here. The people of the city are growing more threatening, and the Mexican troops cutting off our retreat upon the causeways over the lake are gaining strength every day. Presently they will mass for an attack, and then perhaps it will be too late. We are cornered here, cannot deploy our forces to advantage, and the Mexicans outnumber us ten to one. I took Montezuma prisoner three months ago to prevent this very contingency. He is still the one person who stands between us and destruction. Nothing must happen to him—*nothing*."

"Do his people really threaten him now?" I asked the captain.

Cortez gave me a quick glance and went on. "I have selected you five officers whom I trust implicitly to guard Montezuma to-morrow, when he will speak at my request to placate the populace, from the roof of the palace. To guard him, I say, not only from his own people, but from *one or several of our own officers*."

Manuel Herrera gasped. He was a good friend of mine, Herrera the tall one, who saved my life once near Vera Cruz. "But Captain," he said, "surely you cannot suspect a Spanish officer of wishing to kill Montezuma!"

"Killing Montezuma would endanger us all," I said. "It would be the act of a traitor! Besides, we have all come to love Montezuma who has been so kind and cooperative and generous."

Even the shy young Lieutenant Garcia turned red and trembled at the thought. "Let me see the man who would dare think of harming Montezuma!" he said.

The other two officers were silent.

"Have you nothing to say, Cordova—you, Ruiz?" Cortez asked them. And when they both looked too stunned to answer, Cortez went to a corner of the room where lay what appeared to be a bundle of blankets. He grasped the edge of one and threw it back, revealing the inert, huddled figure of a young soldier, rigidly clutching his blood-

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ied shirt front with dead hands.

"Does anyone recognize him?" asked Cortez.

"Yes, it is Ramon Acosta," said Cordova after a moment, the eyes in his saturnine face flickering with sudden pity. "He was in Pedro de Alverado's division. He was a good boy."

"He came to my door to-night, bleeding and almost dead, and whispered, 'They want to kill Montezuma!' I asked him who wanted to kill the emperor. He looked puzzled, as if he didn't actually know, then at the last moment before he died he murmured. *'Spanish!'* I went at once to investigate the safety of the emperor; he was secure. Nevertheless I changed the guard."

"But why, then," asked my friend Herrera thoughtfully, "do you say it is an officer who might wish to kill Montezuma? What [illegible] have you?"

Cortez dropped a *doblón* upon the table.

"I found it in the boy's hand. Common soldiers do not pass coins of that denomination," he said. "Doubtless the officer gave it to him just before he stabbed the boy, who possibly overheard something he shouldn't have."

Herrera fell silent and sucked his eyetooth noisily, a bad habit of which I have long tried to break him. Cortez laid his hand upon my shoulder.

"And now to your assignments. You, Bernal Diaz, shall pick the soldiers whose shields shall guard Montezuma from his own people, because I have long known your loyalty and bravery and shrewd discrimination of a man's worth.

"You, Cordova," he went on, turning to the sad-faced officer who still looked at the figure of the dead soldier, "because I also value your trustworthiness, shall stand upon the roof behind the emperor with two other Spanish officers, well out of view of the Mexicans, watchful that no danger threaten from that direction."

Cortez hesitated, then looked next at Garcia, the good-looking lieutenant from my own province of Castillo, with whom I had often been friendly. The boy looked alert and eager to please.

"You, Garcia," said Cortez, and his eyes softened, "because you have fallen in love with Montezuma's prettiest daughter, and have every reason to protect her father well—you shall stand with Cordova to guard Montezuma from the rear."

As our leader's eyes passed to Ruiz, that officer stood more stiffly at attention. He was a stern-faced man whom I had never particularly liked, because he never joined in with any of the men's sports, and looked as if he held a grudge against the world.

"And finally, you, Ruiz, because you are a passionately fervent Christian who will follow all the commandments, will stand beside

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Cordova and Garcia, to make a third that must guard Montezuma to the death!"

"And do I have no place in your plans, my Captain?" asked my friend Herrera when our leader paused.

"Of course, Manuel Herrera," Cortez smiled. "You shall stand at the foot of the stairs that lead to the roof, with Bernal Diaz and me, and our swords shall guard against danger from that direction."

The following mid-afternoon Herrera and I stood at our post at the foot of the stairs, waiting for Montezuma to appear with the protecting guard of twelve soldiers whom I had personally selected for their intelligence and bravery to guard his royal person. All that morning the Mexicans, eager to expel us from our intrenchment within their own city—where, indeed, from their standpoint we had no right to be—had not only attacked in ten and twelve, but in twenty different points at once so that with building our towers, repairing our breaches, and beating off assailants who had fixed ladders to our walls, we had more than enough to do.

"I wonder if the Captain has chosen a propitious time to have the emperor address the mob," I said to Herrera.

"The old fox knows what he is about," said Herrera. "He never does anything without good reason."

"That is true," I said, as down the corridor came the sound of marching feet, and the twelve soldiers appeared and climbed the narrow staircase, wide enough for only one person at a time, to the roof. The three officers followed—first, Cordova, looking more melancholic than ever, then Garcia. The boy looked troubled this afternoon, his face pale and his manner nervous, and he glanced neither to the right nor the left as he climbed the stairs behind Cordova. Ruiz was next, his usual grim and purposeful self, but I thought I saw a more fanatical glitter in his steely eye.

Finally came Montezuma with Cortez beside him. As was always his habit, the monarch was sumptuously dressed, and he had on sandals richly set with precious stones and soled with solid gold. His delicate features beneath his feathered headdress looked pained and he walked in a kind of anguished silence. Words on his part would have done no good. Without a translator present, Cortez would not have understood. But I recalled Montezuma's words, translated, that morning when Cortez made his request that the monarch speak to his people.

"You came from the rising sun to conquer us, Malinche," he said, "saying that your ruler Charles must hold dominion over all Mexico, and that the cross be the symbol of our religion. Now you say you wish to leave Mexico. How can the

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people believe you mean what you say?"

"You must make them believe," Cortez had replied.

"I wonder if I can?" said Montezuma sadly. "It must appear to many caciques that I have joined with you against them, although I submitted to you only because you said it would bring peace to my people. It has not. I doubt whether my speaking now will do you any good; they are, I believe, on the point of an overwhelming attack. But if I can save you, I will."

Montezuma's face as he climbed the stairs appeared forlorn and without hope. Cortez followed him to the roof and then returned to us below.

"Cordova, Garcia, and Ruiz are readied behind, and the soldiers face the populace in front. Surely Montezuma will be safe."

"Begging my Captain's pardon," I said, "but Herrera can testify I was once safe in front and behind, but almost lost my life nevertheless."

"What do you say?" asked Cortez, annoyed.

"Herrera saved my life near Vera Cruz," I explained. "We were moving up out of the caliente country; one man was ahead of me and Herrera was behind me a short distance. The two Indians, who were hiding on top of a rock, let the first soldier go by, then jumped atop me as I passed. They were Cempoalans, and Herrera, who had seen what happened, knew that they would fight only so long as they were in the majority. So instead of pushing instantly to my rescue, he thrashed noisily about in the chaparral with his horse, crying out in various voices, basso and falsetto, to make it appear that a regiment was coming to my aid. I myself had rallied and was fighting with my sword, and upon hearing the noises Herrera was making, and thinking themselves about to be outnumbered, the Indians fled."

Cortez laughed and clapped Herrera upon the shoulder, then held up his hand for silence. The soldiers upon the roof were shouting to get the attention of the people below in the square. The low sullen murmur that we had grown so used to died gradually, until finally there was silence, and all became quiet like the sea after a storm.

We could hear Montezuma's voice raised in exhortation, and his speech seemed to go on and on, until suddenly there was a pause, and complete silence. Cortez seized my arm and his grasp hurt exceedingly. A shadow fell across the patch of sunlight upon the top step, and the next moment Herrera let out a cry and started bounding up the stairs, pulling me after him. But I could not keep up with him and fell behind half-way up.

When I gained the roof, with Cortez behind me, all was confusion. Stones, big and little, were falling everywhere, hurled from

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the square below, along with arrows and darts. Several had already hit Montezuma and evidently done their work; Herrera held him in his arms and was lowering him gently to the room, and although the soldiers closed in at once with their shields, the people from the square had time to see their emperor fall. The throwing of rocks ceased at once and silence fell again upon the multitude—a great suspenseful silence, as if the knowledge of their sacrilegious act had awed them. They had murderously attacked not only their monarch, but their God.

Cortez ordered Montezuma to be carried to his quarters at once, then looked furiously over the parapet and cried, "Dogs! Murderers of Kings!" Then he stopped, looking down at the roof top where the rocks were strewn in large numbers. He leaned over suddenly and picked up a heavy one that lay near where Montezuma had been struck. I could see the blood still shining wetly upon it. Holding it in his hand, he approached the three officers who still stood at attention at the rear of the roof.

"This stone is different from the others," he said. "Do you know the difference?"

None of the men answered him. The boy Garcia looked as if he were about to faint, while Ruiz was as composed as the rock itself. There was something wrong with Cordova; he kept shaking his head and muttering under his breath.

"This stone was not thrown from the square below, where all the stones are round and smooth," said Cortez. "This is a jagged dark one, which comes from the patio, and is the only kind available within the palace. It is a sacred stone which Montezuma told me he had brought here in great quantities from the burial place of his forefathers far to the north."

Cordova kept mumbling as if he were in a daze, but Cortez paid no attention to him, so great was his ire.

"This stone was cast from the rear," he shouted. *"It was thrown by one of you three!"*

Cortez looked intently at them, waiting for one to speak, and when none did, he exclaimed, "Evil betide you, then." He summoned a guard of six and ordered the three officers to their quarters until I sent for them. Then he turned and motioned me to follow him, and we descended to Montezuma's apartments where the monarch lay unconscious upon his bed, with his weeping family about him.

Late that night we were summoned to the large hall used as the officers' mess, outside of which, out of earshot, stood a guard of soldiers, while within Cortez sat sternly waiting. At a table directly in front of him sat the three officers—Cordova, who still shook his head and muttered, Garcia, pale but more

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composed, and Ruiz, stolid as ever.

Herrera and I sat at a table along the side with other officers, and watched Cortez whose fingers, when he began speaking, were interlaced so tightly that his knuckles shone white.

"Montezuma died of a crushed skull an hour ago," he said. "He did not regain consciousness. We shall, of course, return his body to the Mexicans and let them go on thinking that it was their own stoning which accounted for Montezuma's death."

He pointed at the three soldiers in front of him. "But we know better. The stone that killed Montezuma was thrown by one of you three." Cortez paused. "And yet not one of you will admit having seen the other throw it. *Why?* Are you afraid of some kind of reprisal from the one who threw it? Two of you, at least, had reason to murder Montezuma. I have just learned from members of Montezuma's family that last week you, Garcia, asked Montezuma for the hand of his daughter, and when he refused it to you on religious grounds—he did not wish his daughter to become a Christian—you threatened to kill him."

"Those were just hot words, my Captain," the boy protested. "I was in despair, for I love the girl so!"

"And you, Ruiz," continued Cortez, "carry your religion to impetuous extremes when you attack one of Montezuma's own caciques as he makes obeisance to the God of War, Huitzilopochtli, and then threaten before Montezuma to wipe out every disbelieving member of the royal family."

"The cross must prevail over a god who demands human sacrifice!" cried Ruiz, his eyes flashing.

"So feel we all," said Cortez, crossing himself. "And we shall plant the symbol of our religion in every Indian temple in this land one day, when God pleases. But when I have so strongly stipulated that no hand should be laid upon the royal family or retinue, that you should—"

Cordova suddenly shouted at the top of his voice a word that was not clear to me, and rising, ran to the archway and into the corridor.

"Do not harm him!" warned Cortez, running after him. But it was too late. One of the guards had already brought down Cordova with his sword, and the officer lay dead at our Captain's feet.

Garcia then told Cortez, "It was Cordova who threatened that his friends would kill us if we spoke."

"Yes, it was Cordova who threw the stone," said Ruiz.

"But why—*why?*" asked Cortez desperately. "I know no reason for Cordova having done it!"

When there was no answer, Cortez released Garcia and Ruiz. The matter was ostensibly dropped, and attention turned to more pressing matters of a military nature.

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Cortez delayed the returning of Montezuma's body to his people as long as he could, for he knew that once they were aware of their monarch's death, the Mexicans would swarm our bastions by hundreds and thousands. He made immediate plans for evacuation, and the following evening he held a meeting of all his officers in the big hall, going over the final details with us. Then he smiled ruefully and said, "And now let me show you something, gentlemen, which will be of interest to all of you, I am sure."

With Herrera and me and other officers at his side, Cortez led the group into an anteroom, against one wall of which sat an enormous stone image of the Mexican God of War, Huitzilopochtli. We had often expressed a wish to destroy the idol and replace it with the cross, but Cortez had forbidden it, saying that Montezuma had stipulated it should remain.

The idol had a very broad face with terrible eyes, and was painted in brilliant colors. Great snakes girdled the body which held in one hand a bow, in the other a bunch of arrows. Built into the idol, so that it rested upon his lap, was an incense pan, and into this Cortez placed the burning end of a faggot, and then lighted another.

Amazed, we watched Cortez in the flickering light.

"It appears that our Captain has turned pagan!" whispered Herrera in my ear.

But I knew this could not be so.

"The heat upon the incense pan unlocks it," explained Cortez, and going to one side of the idol he braced himself against the wall and started pushing outward. "Help me," he said, and Herrera and I sprang to one side and pulled, and at our combined effort the whole effigy swung open like a door, without a sound, and through the dark aperture revealed behind it there blew a cool draught faintly laden with odor of lake slime.

"Come," said Cortez, stepping inside. As we crowded down a narrow stone stair we all gasped at what the underground chamber contained. For piled up against the walls were huge quantities of jewels, thin and thick plates of gold that gleamed their wealth in the torchlight, chalchuites, a hoard of precious stones, like emeral[illegible] that dappled the shadows like ca[illegible] eyes, iridescent pearls of fabulo[illegible] size, and other riches. Here was a treasure house that would make even the King's Fifth, His Majesty's share of all treasure discovered in New Spain, a tremendous fortune indeed!

"The father of Montezuma secreted this treasure here," said Cortez. "Montezuma himself gave me the secret to the entrance when we first came here. I have already loaded our Indian porters and horses until they can carry no more. I now permit any soldier to take what he can carry."

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Such a confusion then followed, as the officers went almost mad with their greed unleashed, stuffing plates and bars and jewels into their tunics. I have never had the failing of coveting gold, but I took four chalchuites out of a small box and quickly put them under my cuirass.

"They will try carrying too much," said Herrera thoughtfully, idly picking up a single pearl. But months later I was glad I had the four precious gems, for they served to buy me food and get help to cure my wounds.

I felt a tap on my shouder and Cortez motioned me to follow him. Halfway up the stairs he turned and pointed. "Look at young Garcia and Ruiz!"

The two had their shirts off and were filling them with treasure, their eyes shining with a golden [illegible]t.

"Come," said Cortez, and led me to his chamber where he faced me gravely. "I have seen you watching me, brother Bernal Diaz del Castillo," he said, "and I see the reproach in your eyes. Do not, I pray you, think I have forgotten the murder of Montezuma, nor that I am satisfied with the answers that have been given. I think I know now who the murderer is."

"Tell me, my Captain, that I may execute justice upon him myself!"

"No, but I will tell you the facts I know. If you can assemble them as I have, then you too will know. First, the word that Carlos Cordova called out yesterday just before he was killed was Nenetzin. This is the name of an Indian woman to whom Cordova was much attached. When I talked to her she said Cordova seemed very much afraid for her, and told her to hide herself.

"Secondly, I learned this afternoon from a cacique close to Montezuma that one of my officers had offered to arrange to set Montezuma free if he would tell him the hiding place of the treasure I just showed you. When Montezuma refused, the officer begged that the Monarch should not reveal his name to anyone for forty-eight hours—until he had time to escape, he said. Montezuma, being a kindly man, agreed, and had not revealed the officer's name to anyone at the time of his death.

"Third, the fact that I found only one dark stone upon the roof.

"And fourth, a silence—where there should have been sound."

"And those four should tell me who the murderer is?" I asked, astounded.

"They should, indeed."

"And you know, my Captain, and do not take him prisoner?"

"I shall wait until after our retreat to the mainland. If he succeeds in coming through alive, I shall confront him with his crime."

And thereupon Cortez dismissed me.

I have told in my *Historia Ver-*

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dadera de la Conquista de la Nueva-España the full account of how we retreated from Mexico at midnight along the blood-slicked causeways, attacked by the raging Mexicans in hundreds of boats upon the lake, who harassed us with arrows, darts, and slings. Because they fought for their homeland, they fought like madmen. The dead lay piled before us, and yet those in the rear kept continually pushing forward—horses, Indian men and women servants with baggage, and the main body of our men, hundreds of whom were drowned and others drawn into canoes by Indians as prisoners.

The scene was heart-rending. And to hear the pitiful cries! "Help, help! I am sinking!" cried one here. "Help, they are killing me!" screamed another there. Could anyone believe a man of us observed the order of retreat? He were a fool if he did.

Reaching the deserted city of Tacuba on the mainland, we were finally safe for the night behind the city walls. I was covered with wounds and bleeding profusely, and I had lost a mare and most of my equipment. Herrera and I had stayed together much of the time, but we lost one another where the causeway debouched upon the lakeshore. I tried to look for him, but there was so much confusion I soon gave up. Of Garcia and Ruiz I saw nothing at all.

In Tacuba, Cortez stood upon the walls the entire night in the misty rain, watching our forces, pitifully thinned—only 400 left out of 1300!—struggle in through the city gates. Our cannon were gone, nor had we a grain of powder left, and our crossbows were few. Indeed, it was a sad night for our cause.

After I had my wounds dressed and had taken a little food, I mixed a hot cup of chocolate, frothing it with a twirled stick as the Mexicans did, and took it to Cortez upon the rampart. He was most grateful, and as he put down the cup he pointed with a smile on the road below.

"Here comes your friend," he said.

It was Herrera, not so wounded nor bedraggled nor wet that he could not wave exultingly at us and climb at once upon the rampart to embrace me.

"I looked everywhere for you, my friend," said Herrera breathlessly.

"And I for you!"

"And here follow young Garcia and Ruiz," said Cortez. He gave a command to an orderly to bring them up to us, which was done at once.

Both men were so exhausted they could scarcely stand, and like the rest of us they bled in numerous places from the wounds they had received.

"You did not get *that* wet in this misting rain!" said Cortez, pulling open their tunics and finding their underclothes wet as well.

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"No, my Captain," said the boy. "We fell together into the lake and had to swim to the shore."

"How is it that you did not drown with the weight of all that treasure with which I saw you fill your pockets? There must have been many who drowned thus!"

The boy trembled, perhaps with the cold.

"We did not take it," he said. "Ruiz and I left our gold and jewels in Mexico."

"You lie," said Cortez. "I had you closely watched. Yesterday you hollowed out a log, put your treasure inside, sealed it up, put a splash of yellow paint upon it so you could recognize it, and set it out upon the lake, to let it float ashore. You planned to creep back to the water's edge in the early morning to find your treasure, but I shall not let you go . . . Now tell me, Garcia, whose idea was that—the log? Yours? I do not think so. You are too shy, too irresolute, too lacking in force of accomplishment. Yours, Ruiz? No again. You are quick-passioned and fanatical, but lacking in imagination. But I think it would not take much effort to devise such a clever scheme on the part of a man who could, on the spur of the moment, *imitate a platoon of voices to save a friend!*"

Cortez turned towards Herrera as the accused officer drew his sword and advanced upon him, but poor Herrera was not so quick as our Captain, and it was only a moment before Cortez's sword passed clean through his body and Herrera fell dead upon the parapet.

"Herrera was the officer who tried to deal with Montezuma," said Cortez, sheathing his sword. "And Herrera it was who had to kill him before the emperor revealed him as a traitor! You, Garcia and Ruiz, were part of the conspiracy. Cordova was the innocent one. You threatened to kill his Nenetzin if he spoke a word of what he saw. At the time Cordova was killed, you, Garcia, claimed he had threatened you, and Ruiz said he threw the stone. Your lies made it clear you were both accomplices of Herrera. Doubtless you thought to escape with the treasure to the coast, helped by others, and unbeach one of our ships and sail to Spain with it. Well, there lies your leader now. Ask him to save you—if he can!"

"But how?" I asked, after Cortez had Garcia and Ruiz taken away under guard, and Herrera's body had been removed. "How could Herrera have possibly killed Montezuma? He was with us when—"

"The sound that should have been and was not! Neither you nor I heard any sound of attack upon Montezuma that set us climbing to the roof. It was the shadow on the step that was the secret signal, made by Ruiz or Garcia, that Herrera alone understood. He led the

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way, remember, pulling you after him. Only one person could go up those stairs at a time, and he knew that you, with your wounded foot, would delay us—give him time to reach the roof and commit his crime. The stone-throwing from the square was timed so that it began before we arrived. Meanwhile Herrera ran up behind Montezuma, apparently to rescue him, but at the same time he struck him with the dark stone concealed in his hand.

"I did not suspect Herrera until after Cordova was killed. When I learned of the conspiracy, I knew that both Garcia and Ruiz would have thrown a stone to make sure Montezuma was struck down —a dark stone, for that is the only kind that is available within the palace. And yet only *one* dark stone was found upon the roof. That meant that neither Garcia nor Ruiz had thrown it, but a surer method was used—by Herrera himself, who was the only one who had the opportunity!"

"But why did Cordova act so unusually distraught, my Captain?" I asked. "Why did he run from the hall as he did?"

"He was an honest man. In his case, as in yours, my judgment did not err. Cordova could not stand the strain of concealing such an evil deed, and yet he could not expose his beloved Nenetzin to danger. Finally, the pressure of divided loyalties unseated him."

We fell silent. Below, the wounded still came limping through the city gates. The mist had cleared a little, and the moon showed fleetingly through clouds.

"*Triste noche,*" I said, thinking of our defeat and of my lost friend, Herrera.

"Not so sad a night," said Cortez, smiling. "We shall rest with our allies, the Cholulans, gain reinforcements, and come back to conquer Mexico, never fear! And to-morrow morning, Bernal Diaz, very early, you will take three men with you to the edge of the lake, recover the log with the splash of yellow, and bring it to my quarters." Then he laughed, almost as if he'd never known despair or fatigue, and added, "Herrera stacked a considerable treasure in that log, you know. It would be an unChristian waste to leave it behind!"

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a new story by

AUTHOR: **MARK VAN DOREN**

TITLE: ***Man in Hiding***

TYPE: Suspense Mystery

LOCALE: United States

TIME: Now?

COMMENTS: *The Editors reserve comment until you have read all but the final paragraph of this distinguished story, written by one of America's outstanding teachers and poets.*

EDITORS' FILE CARD

THERE WAS ONE WALK HE COULD take and not be seen for more than fifty feet in either direction. He had stepped it off the first morning, and now he knew the little ravine's entire length—as a prisoner knows the corridor outside his cell.

But once beyond it, at either end, he could see down through the bare trees to where his white house lay quietly, expecting snow, and farther down to where his sandy lane joined the state road at right angles, the gray roofs of Jed Perry's place snug in the left angle, near the two mailboxes, his and Jed's. And if he could see, he could be seen; so these were sights to be imagined, not possessed, as morning after morning, after he had made his toilet at the mouth of the cave, he paced both ways, counting his steps lest he proceed too far.

Every other night he brought water from the brook. There was the risk of being picked out by a flashlight; but it wasn't a great distance, and he had practiced falling flat—at self-given signals, to be sure—in case he should need the sudden cover of certain rocks whose location he already knew by heart.

He had never expected to be so well acquainted with this part of the farm. It was the grown-over, the gone-back part, up Ellison

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Mountain from the open fields, the orchard, and the house where Aggie waited for the day when it would be safe for him to come down; and where each noon she pulled the shade in the south window of the living room to notify him that so far all was well—no threatening inquiries, no government men phoning to ask where James Orton was.

He was James Orton, and neither had he ever expected to be thought of as a public enemy, or posted as such by men who he could only suppose had gone insane.

He knew by the radio what they were doing; they told of it themselves, as if they were proud. He knew he shouldn't trust them to discover that he was no more of a public enemy than that crow there, cawing angrily between him and the orchard. Much less of one, in fact, because he was nowhere near so loud. A queer thing: his very quietness, for which he used to be teased, was now a quality that was suspect and dangerous. He had always minded his own business, and said others should; but these days that was treason.

Well, it was his ninth day in the cave, and Aggie might be thinking it was all a false alarm. For every noon the window shade came down to reassure him. It remained down ten minutes, as they had agreed, then reascended, and made him wish he could see her too as she stood there between the chaise lounge and the desk. But it was too far away for that, and he had warned her against waving, or doing anything else to call attention to herself. There was enough hazard in his having to become visible, beyond the brook end of the ravine, in order to see the message she was sending. The exposure was slight; he had only to show his face around the edge of the great ferny boulder there; but it was quite enough for the two of them. He didn't, in fact, want Aggie to be in any danger at all. If weeks went on like this, he wasn't sure she could stand the strain. He had nightmares of her running up, suddenly, in broad daylight, calling his name —"Jim! Jim!"—and making a streak of color with that indigo scarf of hers, the exact shade of her eyes, which were, he believed, like no other eyes on earth.

He wondered about Jed; and about Mrs. Perry, who only thought whatever Jed thought. They had been told he was away on a long trip, buying feed. He had announced this three weeks ago, and Aggie promised him to make a good story of it later: "He left early this morning," she was to tell the Perrys, "before even you folks were up, so he could catch a good train at Albany." "Albany? 'Way over there?" "Yes, he had a little business first. I've just come back from seeing him off." Of course Aggie would have kept her promise. Still, he wondered about Jed.

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The two of them had never talked politics, not really. The personalities of candidates, the weaknesses of those in power—that was about as far as they went, and even then they weren't serious. They were good friends, and so they were serious, but it wasn't on this ground. He couldn't have said quite what it was that they understood and respected in each other; perhaps he was wondering about it now, though he put it to himself in the form of a question: Would Jed lose faith in him if he knew he was being looked for—looked for by those worst of men who claimed to be the best? Would uniforms and badges work on Jed; if certain lies were told about him, would Jed turn his neighbor in? What had Jed been thinking these past months? What had he and Mrs. Perry said to each other, sitting alone, the doors locked, between supper time and bed?

He was not justified in doubting them, yet he did—only doubted them, no more than that, as he must doubt everything and everybody with the one exception of Aggie, lying alone these cold nights while he curled up in his cave. His strictly, for neither she nor Jed knew there was anything more here than a fissure in the rocks; neither knew, for instance, that if you squeezed in at a certain point you found the interior widening out and becoming a small, three-cornered room which a shorter man than he could have stood up in. He couldn't, and so he spent his days in the ravine, which Aggie didn't know about either. She merely signaled toward the mountain, in some part of which he had told her he would be.

She must have asked herself many questions about his comfort, and he wished he could let her know how much of it he had. She would of course be pitying him because the nights were cold. It was the end of October, between leaf fall and snow fly, and after sunset you could feel the winter coming. But less so in the cave than you would think; its interior was curiously warm, as if the cracks in the stone floor conducted heat up to him from a deep place, possibly volcanic, farther down than it was agreeable to think about. Not volcanic—that was absurd—but subterranean to say the least, and the less you considered this the better, though Orton, doubled beneath his army blankets, could be grateful for it too; and the next morning could be grateful again because his store of food was not ice-cold. For there couldn't be any fire, inside or outside the cave.

He often dreamed of coffee, as he did of frying meat—bacon, chicken, chops—but he got on well enough between the dreams, which he put down by saying to himself how wisely Aggie had chosen what was here: the cheese, the many small cans of processed ham and

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beef—the smallest she could find, so there would be no spoiling—the crackers, the hard cookies, and the dried apricots and plums. There was a reserve of sweet chocolate—in the old-fashioned bars she knew he liked, and had gone a long way to get—and there was even a tin box she said he was not to open until everything else was gone.

But the time hadn't come yet to think of reserves and last resources. It would, of course, before too long, and then he would go down, by preference on a foggy night, and refill the hamper; or let Aggie fill it while he slept. This was a dream too, sleeping in his bed: a dream that began and never ended, never ended.

He nodded in his seat—of dry leaves, gathered every day to form a cushion in the recess of rock he called his crow's-nest, halfway between the cave and the boulder—and then ceased to do so because he heard a noise. Not a crow or a squirrel, or the rubbing of branches in a tall blackoak, but the very noise he had been wondering for days if he would be awake to hear. A human noise. A heavy step—and then, after some hesitation, another.

He looked, and there by the boulder, his hand on it as if to feel the way, was Jed.

"Hello, Jim."

"For God's sake."

An ungracious greeting, but it was all he could utter in his relief because Jed wasn't someone else. And instantly he wondered if the someone else were not there too, or behind him, at the other end of the ravine. Jed could have brought them up here— a dozen of them, maybe—because he thought he ought to; or because he had been forced to.

Orton looked back. He and Jed were alone.

But then how had Jed known where he was? Was it an accident, or had he come on purpose? He stood there as if *he* weren't surprised. He rarely was; but this was one time when he might have been. His countenance, in fact, was rather solemn.

"Jim, I been up here almost every day."

"What's that? Been where?"

"Why, right here where I am, or over there"—pointing to the far end—"or farther off, uphill a ways, looking straight down onto yo[u]. I been watching how you kept yourself out of sight—other people's sight. Strangers. Far as I went, though—"

"What made you think—"

"I knowed you was in trouble. Knowed it all summer. We been asked."

"You mean, they've come to your house?"

"About once a week they have. Then—you know when—Aggie told us you went away. But neither Ruth nor me believed it. Not that we said so to Aggie—didn't want to hurt her feelings— but we didn't.

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The next day it was, I slipped up here to see if you wasn't in the cave. I figured it would be a handy place."

"I didn't think you knew about it."

"You didn't? When I was a boy I played up here with my brother —hid out from the Indians, we called it. Nobody ever been here since. Or I guess not. Find any of our leavings? Any tin cans or chicken bones? I lost a knife in there once."

"No, nothing. But for God's sake—"

"Now don't get excited." Jed came forward in that slow, soft way of his—an Indian himself, almost—and Orton, for no reason he could have given, was reassured. This man would never betray him. They had the same views after all —at least, of each other. "Let's have a look in there."

Orton followed him to the threshold of the cave, a flat stone that looked as if it had been put there to step on. Farther in, however, the floor was uneven, and seamed with openings; in some of them a man's foot, if it were careless, could be caught.

Orton quietly placed his flashlight in Jed's hand; but his own mind was not so quiet—it was clamorous with questions. How could he have been so sure that nobody knew where he was? What kind of vigil was it that Jed could look down on, easily, every day? In Jed's mind how much of a jackass was he, then and now?

Jed, pausing at the entrance, said over his shoulder, "Ruth made me. I didn't want to butt in—your business, I told her. But she made me."

Orton wished, as he had been wishing for years, that he could call Mrs. Perry by her Christian name. Jed said Aggie, and he should say Ruth. But it was still impossible, and therefore he said nothing. She was a good woman—never, of course, more so than now —yet formidable, with centuries of reserve banked in her eyes.

He squeezed through behind Jed, stooped as Jed did, and remarked after a second, "Well?"

But Jed was intent upon something that moved in the circle of light he had cast on the floor, well back toward its far end, near the blankets. The circle was unsteady, too—Jed's hand seemed to be shaking. The thing, whatever it was, moved slowly—like a shadow pouring.

But it was red, and tapered to a fine point; and now the point, after being stationary for a moment, disappeared.

"By golly!" Jed was seldom so emphatic. "You know what that was, Jim? Still is, down under there? A copperhead."

Orton jumped back a little and straightened up. The rough ceiling all but stunned him as his head struck it.

"Careful," said Jed, switching the

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flashlight over the whole floor. "Let's go, but easy. If there was one, there could be some more. It's cold enough now so the copperheads are turning in. For months they'll be there, wrapped around each other. This is the kind of place they go for. Whew! What if when I was a kid—it must have been the same then—but we didn't come here, did we, except in summer. They was off then, they was sleeping out."

Orton managed to say, "There aren't supposed to be any around here."

"Not many. But there couldn't only be just one. I wouldn't wonder if all there was—look, Jim, you'll have to move out of here."

Orton was cold all over. "I know it. Come on out now."

"We can take the blankets."

"No, no! They might be under them."

"Careful, Jim, that's all we need to be. You pick up the provisions while I—"

"No, Jed!"

But that was how it was; and in ten minutes they were out in the ravine again, a pile of gear between them.

Orton knew he looked pale. Jed wasn't so comfortable himself.

"This wasn't on my mind when I come up here, or Ruth's either. The last thing we thought about was snakes. Real snakes. What I come up for was to take you down."

Orton stared at him. "You think I made more out of this than—you think I'm crazy. I exaggerate—is that it, Jed?"

"Well, not exactly, no. We've had a lot of callers, as I said. We got our own ideas."

"Ideas." The word was ominous, and Orton's repetition of it, in a flat tone, expressed his lingering uncertainty even of Jed.

"As to the best thing for you to do, Jim. The best place for you to be."

"Where's that? You don't mean my house? Aggie—"

"I means ours."

Orton studied the heap of objects at his feet, all of them the work or thought of Aggie. It was like deserting her.

"The best place," Jed went on. "Upstairs, in the closet back of the chimney stack—remember?"

"Of course." He often ha laughed about Jed's grandfathe who had dragged his mattress there in winter to keep warm. "But Jed, you may not know something—what all this trouble is about."

"We know." Jed looked into the bare trees above his neighbor's head. "Didn't I tell you? We been asked a lot of questions. And the way we answered, they think we're on their side. That's why you'll be safer there than Albany, or points west. Your house—no, of course not. But ours—well, nobody ever is going to look upstairs. We're helping them, they think. We're telling

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them when you get back from that big trip. They're waiting till you do. They think we believed Aggie. They halfway believe Aggie their own selves. They halfway think you've gone somewheres, but you'll be back. Well, they can wait. But then they're watching too."

Orton took up one of the blankets, shook it, and started folding it. "I wouldn't want you and Ruth" —there, he had said it, and it sounded natural — "to run the slightest danger, now or later."

"Don't worry about that. You might hear one or the other of us saying things to them sometimes, downstairs, that sounded like we was dangerous to you. Don't worry about that either. We can take care of things."

Orton bent over the second blanket. "I can't go down with you by daylight."

"No, I reckon not. Even this evening I'd follow the brook, and not use a light, either. Sounds silly, but I see it that way."

Orton considered how absurd it all must seem to this loose-jointed citizen who never until now had doubted the innocence of Ellison Mountain, who never had thought twice about how he should come or go, or how any of his ancestors had come or gone—at least, since Indian days.

"Will Aggie understand? She thinks I'm staying here. She signals every day."

"I know that. I can go there; so can Ruth. We've told her, and she thinks it's right. She said, though, you might be stubborn. When I go by the house I'll have my cap on backwards. Then she'll understand —but not about the snakes. She'll know you're moving. Don't worry about Aggie. Ruth says we can manage so you'll see her once in a while—our place is better than this in every way. Warmer, too. And in a week or ten days, wouldn't your grub give out? Ours won't."

"I was going to slip down and—"

"No, Jim, too risky. I won't say all of why, but there's plenty of it. No, you follow the brook down tonight. Take it easy, and no light—but I said that, didn't I? We'll have the back door open. Bolt off, I mean. You come in there and go right on up the back stairs. Any time before sunup, we'll a low."

"Jed." The blankets were all folded now, and the smaller parcels neatly arranged together. It had been a satisfaction to do this, methodically, as if nothing were more important.

His neighbor, who had almost reached the boulder, scarcely turned around.

"Jed, I'm much obliged."

The only recognition of this was a slow flick of his left hand as Jed passed out of sight around the big rock on which a hundred pale green ferns waved gracefully in the slight wind that had started moving through the woods.

Orton went to the seat where

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he had been when Jed appeared. He picked up a dead stick lying in the path, poked the old leaves away, gathered others, then sat down to wait for darkness, which was not too long away. His watch said 5:47, and the sun would soon be setting over Pond Hill across the Hollow. He could see it, redder every minute, through the trees.

There was no place to hide in any more—at least, up here. He would have to take his chances between now and pitch-dark, which it would be, for there was no moon. Two hours, and then he could start. Pretty soon he would make a bundle of all that stuff—something to do while he waited. But now he would just sit here. He was tired. And dirty, and ill-fed. And worse yet, defeated. He wouldn't think about the snakes—the real snakes, as Jed had put it.

Between the two deep poison dens—this near one and that far one—there was only Jed. And Ruth, whose name at last he could pronounce. And Aggie: but she was part of himself, so couldn't save him. He had thought he could save himself, and now he couldn't. Defeated after nine days on the mountain.

And yet not so, if Jed and Ruth—they didn't feel defeated. For them it was just beginning. And they were confident, as he should be.

He guessed he was. But how long would it last? Good friendly Lord, how long?

He wished Aggie could know when he was opposite their house. It would be about nine o'clock. He would have to go slow, the rocks were so slippery. He would like to whistle those three notes that always brought her to the window. But not this time. He must work downstream as quiet as a trout . . .

EDITORS' NOTE: *We ask you to pause at this point in Mr. Van Doren's story. In the original manuscript this was where the story ended, where we had to pause after reading the story for the first time. And at this point we were troubled. Here was a beautifully written story, a story that gripped our attention—but what did it mean? What was the author telling us? Had we missed the inner significance in our first reading?*

So we reread "Man in Hiding." And again we were troubled—even more deeply this time. For we still did not grasp Mr. Van Doren's meaning.

So we asked the author to explain. And Mr. Van Doren

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added one paragraph to his story. And now we knew . . . and so will you.

And it is important. Important to remember that these things can happen—yes, even here. Important to remember —and to guard against.

This was the age of suspicion, when subversion grew on trees. He had no idea why *he* was suspected of conspiracy to overthrow the way of his country's life, but anyway he was. Some fool or worse had informed on him. But who? And what was the information? What was the charge? Some day, when reason had returned to earth, he might be told. For the present, however, he had to remain a man in hiding.

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Captain Heimrich's special concern was murder—and this one had two special points of interest: the fog that April morning, and the victim's dying message . . .

HIT-AND-RUN

by FRANCES and RICHARD LOCKRIDGE

IT WAS WALTER BRINKLEY'S FIRST contact with the New York State Police, as it had also been his first contact with violent death. He found the police courteous and patient: telling them what had happened somehow lessened the impact of the violence, so that the quivering of his nerves lessened. It was true that they continued to call him "Professor," an appellation which, although accurate enough, he preferred to hear used in a classroom, which this certainly was not.

"The fog had lifted, then?" the uniformed sergeant said, and the other policeman held his pencil ready. "You appreciate it might make a good deal of difference."

Mr. Brinkley nodded his head. His thick white hair glinted in the sunlight which, at that hour of an April morning, poured into his living room.

"Just," he said. "Very suddenly. Ten minutes before I went down I could hardly see the road. Then I could see the mail box, and that Mr. Beale had been by and put down the flag." He paused. "I call it the flag," he said, a little anxiously. "The arm, you know? The —indicator? That shows when there is mail to be picked up?" He was anxious to be clear. At the same time, he felt he was too anxious. A fussy old man, they would think him. In short, a professor. No wonder . . .

"Yes, Professor," the sergeant said. "And you went down and—found Mr. Gray?"

He had. It was all clear in his mind —too clear. He had walked down his driveway, which ran straight up from Hayride Lane for three hundred feet, to his comfortable white house. He had walked in the warming sun of an April morning, and had walked with spring in his steps. He had taken the mail out of his box and looked up and down the road, as one does. And there, not a hundred yards away to the north, just by the big lilac clump at the corner of the Farmers' land, a man lay in the shallow roadside drainage ditch. Walter Brinkley ran, then.

The man was Martin Gray, who

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lived up the lane half a mile or so, who walked down the lane a mile each decent morning and walked back up the mile, for his health's sake, and who was dying when Brinkley knelt beside him, though he still managed to speak. Now the sergeant wanted to get his last words down very carefully, and Walter Brinkley repeated them as carefully as he could.

"He said," Brinkley told the policeman, "'*Wrong side. Wrong side.*' He spoke more loudly than —than one would have expected. Then he said, '*No! No!*' I suppose as—as a kind of protest?"

"Probably," the sergeant said. "When he saw the car coming at him. Then?"

"Then—'*No!*' again and then, '*No con—*' And then—then he died." It was all clear—dreadfully clear. "I was trying to lift him up," Walter Brinkley, professor emeritus of English, said in a fixed voice, and looked at the sergeant through fixed eyes.

"Nothing you could have done," the sergeant promised him.

And the trooper who was taking notes said, "C-o-n? That was what it sounded like?"

"Well," Brinkley said, and knew he was being fussy again. "Yes. Or k-u-n, perhaps. As if . . ." He felt that they were being very patient with a white-haired, elderly man—an absurdly meticulous man. "That was what it sounded like," he said, firmly, and then, by the way of showing he was not unaware of idiom and knew a little about the world, "A hit-and-run case?"

"Looks like it," the sergeant said. "Didn't see him in the fog. Thought he was dead or—didn't care, long as he could get away. Probably no other car in sight. Well—thanks, Professor. Nothing you could have done you didn't do. Probably want your evidence when we catch up with him."

They seemed very sure they would catch up with the motorist who had killed Martin Gray, Professor Brinkley thought, watching the police car go down the drive. Poor Gray, who had come to North Wellwood only two years ago, retired in his late fifties with, obviously, plenty of money; a strong and active man, considerate of his health. A man with a much younger wife and a pretty daughter by an earlier marriage. Professor Brinkley, a widower and sometimes lonely, returned to his study and work on *American Regional Accents* (tentative title). It was best to return, as quickly as one might, to life's routine.

The police routine had already begun. When a car hits a man hard enough to crush him, the car is damaged. Right front fender, most probably, in this case—car moving south in Hayride Lane, meeting a man, walking north. The man walked to face traffic (if he knew his way around) and stepped out into the roadway because he had

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to get past a big lilac clump growing too close to the road's edge. Considering the fog, an accident. Until the driver left the scene, and a man dying. A crime, then.

Since Brewster, New York, is north of North Wellwood, the discovery of a light car in a Brewster garage, undergoing repairs on a dented left front fender, seemed without significance. It seemed that until routine disclosed that the car was registered in the name of Constance Gray, and that Constance Gray was Mrs. Martin Gray. Then the matter seemed one for Captain M. L. Heimrich, New York State Police, whose concern is homicide.

Constance Gray was not at home; she was in New York, and neither the maid nor the pretty, sobbing girl—Mary Gray, a senior at North Wellwood high school, called from class to be told of her father's death — knew where Constance could be reached. She was expected back in the late afternoon, expected on the train due in Brewster at five twelve.

Questions are best based on information, and Heimrich, late into the case, had less of it than he could have wished when, with Sergeant Forniss, he waited for the five twelve on the station platform. He knew that Constance Gray was twenty years, at least, younger than her husband; that Martin Gray had retired three years before at the age of fifty-five from what appeared to have been a lucrative insurance business; that he had been a widower for some ten years when he remarried and that Mary, who had just passed seventeen, was his only child. Heimrich also knew what Gray, dying, had found strength to say to Professor Brinkley.

Heimrich would have liked more to go on as he watched a pretty blonde woman in a powder blue spring suit come down the steps of a coach of the five twelve. A policeman must, however, go on what he has.

If the pretty blonde woman, with piquant face and wide blue eyes, had driven her car across the road —on the "wrong side"—to kill her husband, there was nothing in her face to show it. Her face was gay. Her hair was immaculately in place. Probably what she had gone to New York for, Heimrich thought, moving toward her. To have her hair done. "Mrs. Gray?" he sa[id] and she stopped. She looked up [at] two solid men, and her wide eyes widened.

"State Police," Heimrich said, and watched her face, and her face told him. There could be no doubt her face told him, her eyes told him. Constance Gray was afraid. Because they were policemen, she was afraid. It was as easy as that—and, for an instant, Heimrich realized that, watching her, pretty and gay-faced, he had wished it wouldn't be.

"Oh!" she said, as if her breath caught, and then again, "Oh!" And

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then, which was quite unbelievable, "I knew I should have reported it. I really did know that. But it didn't seem to hurt him."

Heimrich is used to remarkable statements, particularly by murderers. He could remember none more remarkable than this. Here was a woman who had guided a car across a road so as to kill her husband with it, and who said now that she should have reported this —should "really" have reported. And — that being killed hadn't seemed to hurt.

He looked down at her in disbelief. He felt his face falling open, human astonishment triumphing over professional detachment. He pulled his face together. He said, "What are you talking about, Mrs. Gray?" and his voice sounded hard in his own ears.

She looked bewildered then. He had seen that expression on many faces.

"The deer?" she said. "Isn't it about the deer?"

So that was it. One had to give her credit. But not too much.

"It's not about a deer," Heimrich said, and told her flatly what it was about. She began to tremble, then, and put her hands over her face and did (Heimrich thought without sympathy) such other things as she thought appropriate. They took her home, then, to the big white house on Hayride Lane. There her stepdaughter ran into her arms and clung to her, and Constance Gray, her own face set, seemed to try to comfort the girl. A very competent actress, Heimrich thought of Constance Gray.

After she had had time enough, she pushed the girl away, gently, then turned to Heimrich and said, in a quite level voice, "Tell me about it, please." Heimrich told her, but not that her husband had died saying her name—part of her name. There would be time for that, later. She said, "You think I—" and then, "How can you think that?" And this, too, was appropriate enough.

"Now, Mrs. Gray," Heimrich said. "I don't think anything yet, naturally." (Which was not really true.) "You didn't see your husband on the road? Didn't run into him? By accident, naturally."

She had not seen Martin Gray—not after they left the house at about the same time, he for his walk, she in the car. He had started north on the left side of the road, and had waved at her. She had driven north to Brewster. There had been a little fog.

"Why do you think—?" she said, and again did not finish, but instead said, "I loved him. We loved each other." And her voice shook at that.

Heimrich waited. Then he said. "You hit a deer? That's how your fender was dented?"

"Yes," she said. "I hit a deer. Only a deer. Is it any use to tell you?"

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"Now, Mrs. Gray," Heimrich said. "It's of use, naturally."

She had been two or three miles on the road to Brewster. The fog had lifted. She had not been driving fast. The deer came out of nowhere in one great leap—a big deer, which scrambled and slid on the road surface. "Afterwards," she said, "there was froth on my windshield." She had braked, skidded a little, felt the jar as the car struck him.

"He half fell," she said. "But then he didn't fall. He leaped away—up the bank and away. He didn't seem hurt."

But her voice seemed to die away as she told of the deer. It was, Heimrich thought, as if she lost faith in her story even as she told it. Yet it was not, intrinsically, an improbable story. Few motorists drive long in Northern Westchester without narrowly missing—or not missing—deer charging across roadways. If deer and car survive, there is nothing to report to authority. Then, why the tableau of guilt on the station platform? Explanation of a guilt reaction which could not wholly be concealed. Probably. Of course, the Grays had not lived long in deer country.

A telephone rang in another room. The call was, the maid came to say, for Miss Mary. "That boy—the Beale boy," she said, in a certain tone. The pretty girl, pretty for all the redness of her eyes, ran out of the room.

Constance Gray watched her, and Constance's eyes narrowed a little. She turned back to Heimrich and said, "Her—boy friend. Martin and I are rather—" and stopped with that, and put her hands over her eyes. After a time she took them down and said that she was sorry, and that she was all right now.

"Why do you think it wasn't merely a—a dreadful accident?" she asked him, and her voice was steady.

It was time to tell her, then, and Heimrich told her what her husband had said, dying. Her blue eyes seemed to darken as she listened. And, Heimrich thought, fear grew in them.

"He said, *'No, Con,'*" she repeated, when she had heard. "That was it? As it—as if it were, *'Don't, Con!'* That's what you think?"

There was no need to answer.

"And," she said, "*'Wrong side.*' And I would have been on the wrong side to hit him. That's it, too?"

"Now, Mrs. Gray," Heimrich said.

"Because he was older?" she said. "That's what you think? Or—just for the money. The insurance? Double indemnity for accidental death. You'll find that out." She had begun to speak very rapidly. "A hundred thousand dollars," she said. "To kill Martin for. To—"

Suddenly, she began to say, "No. No. No . . ." over and over, as if she would never stop.

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Mary Gray ran back into the room, then, and looked at Heimrich with anger. "Go away!" the girl said, in the voice of youth's angry rebellion. "Go away. Leave her alone!"

Heimrich nodded to Sergeant Forniss, and the two tall, solid men did as the girl said, since hysteria is inarticulate, and since Heimrich needed to know more before he could ask more. He did not say that they would be back, since there is no point in saying what is obvious.

Heimrich did know more the next morning, had more to go on, as he drove toward the Gray house —Constance Gray's house now—at a little after eight. He knew that the insurance money went to Constance Gray, along with a good deal more money.

He knew that Martin Gray had been popular enough, certainly had had no "enemies." If one did not count young Rodney Beale, high school senior, who had done some muttering about people who thought they were better than other people because they had a lot of money. (The point apparently being that Martin Gray had considered Rodney, eighteen and a part-time grocery clerk, an unsuitable husband for his daughter.) But boys of eighteen often mutter against fusty parents who have themselves forgotten love.

He was abruptly distracted from his sorting of information. A car came briskly toward him, and the car had no driver. No driver at all! It had a passenger, sitting at the right of the driver's seat. There was nobody behind the wheel.

Heimrich's car winced toward the side of the road. But then the approaching car swerved abruptly to the right and stopped beside a rural mail box. Heimrich laughed, soundlessly, at himself.

A good many rural route men drove in that fashion, needing only a car with automatic transmission—sat on the wrong side, but the side nearest boxes, drove with left hand and foot, and so avoided much sliding across seats to take mail out of boxes and to poke it in. All the same, it was somewhat alarming to see when a car so driven came head on. And all the same, it was rather risky. In an emergency, a man on the wrong side of the driver's seat wouldn't have much control. Not much con—

Wrong side, No con—wrong side of the *car,* not of the *road!*

Heimrich drove on, but not to the big white house he had been headed for. He drove to another house like it, but half a mile north on Hayride Lane. He said to the gray-haired man there, "When Mr. Gray said 'con' and stopped, did it sound like an emphasized first syllable? As if he might have been going to say *'Con*stance?' or—"

"I've been worrying about that,"

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Professor Brinkley said, in a worried voice. "I was afraid they would think I was just being—fussy. Unemphasized, I'm quite sure. The indeterminate sound of the vowel, you know. And—"

"Yes," Heimrich said, "as if he really meant to say control."

Heimrich drove into North Wellwood, then, and to the small cottage where Thomas Beale, driver of rural route No. 2, lived with his wife. Not that Beale would be there; he would be on the route. But—

Beale was there. His wife said so. In bed with one of his migraines. And had been the day before. And—

"Tom's nephew is taking the route for him," Mrs. Beale said, and was anxious, and twisted her apron in her hands. "Rod, that is. There isn't anything wrong, is there?"

"I hope not," Heimrich said, going as far as he could go. He drove two blocks to another cottage, where the Whitney Beales lived with their son, Rodney, but he did not go to the door. He waited in his car for an hour or more before Rodney Beale, driving as his uncle drove — as what boy of eighteen would not, given an excuse? — turned into the driveway.

He was a big boy. All the same, his instinct was to run. Heimrich could see that in his tense body, his working, frightened face.

"Well, son?" Heimrich said.

"I didn't mean to," the boy said. "He just sort of stumbled out in front of me and—I—He was dead. I couldn't do anything. Wasn't he dead?"

"No," Heimrich said. "I don't say it would have made any difference if you'd got help. But—he wasn't dead."

"Nobody would have believed me," the boy said. "After—I've been saying things about him. And—"

"We might have," Heimrich said. "We might still. But—you'll have to come with me now, son."

A boy can panic, Heimrich thought, driving away from the Brewster substation of the New York State Police. Anybody can panic. Probably the boy hadn't meant to kill—not consciously meant to kill. So probably it wasn't actually murder, which is Heimrich's special concern.

Heimrich turned his car into Hayride Lane once more, toward Constance Gray's big white house. There he would have to make what amounted to an apology.

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a new story by

AUTHOR: **DOROTHY SALISBURY DAVIS**

TITLE: ***Meeting at the Crossroad***

TYPE: Detective-Suspense Story

DETECTIVE: Chief of Police Kelley

LOCALE: Point True, New York

TIME: The Present

COMMENTS: *A story of two men, each with a secret, in a village full of secrets—and family skeletons . . . a story that unfolds slowly, and reveals its own secret slowly, with deep crosscurrents and undercurrents.*

EDITORS' FILE CARD

IT WAS A NIGHT OF FITFUL WINDS, so quiet at times the fall of an acorn might have startled a listener. Then the wind would commence again, whispering at first, trembling the dead leaves; then it would rise to a wanton shriek that rattled the very stars, it seemed. And that fury spent, silence hung once more upon the mountainside. It was the sort of night that a man abroad in it was not likely to forget. It could make strangers of friends, and perhaps friends of strangers.

Two men surprised each other, meeting on the Upper Road well after midnight. One was walking south from the direction of Rossi's Tavern, although it was unlikely that he had come from there: Rossi was in the habit of closing at midnight sharp. The other man, Tom Sommers, was coming east, down Cemetery Road. They were only a few feet apart when both of them hesitated, and then, having recognized each other, came on to their inevitable meeting at the crossroad. There a great naked light bulb shone beneath a porcelain shield which resembled an up-side-down spittoon.

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Both men lived in the village below, Point True, and they rode the same commuters' bus into New York every day. Outside of that, and this chance meeting, they had little in common. Yet, about to pass each other with the merest of greetings, both men paused, and on an impulse each felt had come from the other's prompting, extended their hands.

The handshake was brief, but it was their only one in fifteen years of acquaintance.

"Going down?" Tom Sommers said.

"No, worse luck. Up again. My wife's still at the Shanleys'." Allan Ford jerked his head in the direction of Cemetery Road, the same road down which Sommers had just walked.

There were a few houses along the road—not many, because so few people could afford the search for water on the mountainside. Many a well-digging had had to be abandoned at that height, and with it the plans to build a house.

"Nice people though," Ford added, as though to amend what might have been taken as criticism. The Shanley house was the only one alight now, except for what seemed to be a night lamp burning at the Rossi window.

"Are they?" Sommers said. It was not a question. It was an avowal of his skepticism of the Shanleys as nice people, and of Ford himself, perhaps. By reputation Sommers was a sour man.

"Once in a while anyway," Ford said, rubbing the back of his neck. It was an old mannerism, always practised to the tune of a sly joke. "Here comes the wind again. Isn't it something?"

"You should hear it at the top of the mountain," Sommers said, and without so much as a gesture of farewell he strode off down the hill.

At the very end of Cemetery Road, in the long plateau atop the mountain, his wife was buried. She had died a good many years before, at the age of twenty-three . . .

Both men were on the eight o'clock bus in the morning. Sommers boarded it first because he lived farther north, and as was his habit, he sat beside the person least likely to attempt conversation. He was tight-lipped and somber-eyed, reportedly a fine engraver. He looked rather like an ascetic mo[nk]. But any comment about hi[m] among the commuters almost invariably centered about his daughter. Ellen was fifteen now, in her third year at the Township high school, an honor student, and a very sweet-dispositioned girl. She was quite popular despite her shyness. Nearly everyone considered it a miracle she had been so well brought-up without a woman's help.

Ford was not his usual hearty self that morning, but his explanation was familiar: "I wish to God we could get to bed nights." He and

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Sommers did not even greet each other, much less comment on their post-midnight encounter. There was nothing at all out of the way about the bus trip that morning.

By the time most of the same commuters met again on the 5:15 bus, northbound, an item in the afternoon newspapers—or in some cases, a call from home—provoked a fury of talk; Point True had been the scene of a brutal murder shortly after midnight the night before. Fred Rossi had been bludgeoned to death in the woods between his tavern on the Upper Road and his home on Cemetery Hill.

Tom Sommers looked up from his newspaper at precisely the moment Ford was moving past him. Their eyes met and held for an instant, and Ford thought about their handshake of the night before—after the murder had occurred. But not a word was exchanged between them.

Ford's wife was on the telephone when he got home. It gave him a moment he very much needed—a chance to be alone on familiar ground. He was aware of something shaky inside him. God knows, the sensation was common enough to an advertising man, this inner quaking. In his case, he thought, it usually portended a responsibility he did not want, a decision he did not want to make.

He wandered through the house and lingered a moment at the playroom door. Jeff was fond of cowboys again, judging by the television program that was on. He waved absently in response to Allan's "Hi, son."

Martha, off the phone, called out. "Allan?"

He returned to the kitchen. "Hi, honey."

"I suppose you've heard about Rossi?"

He nodded. "It's in the afternoon papers."

"Did you hear anything on the bus?"

"Gossip, you mean?"

"All right then—gossip."

Martha had a way of coaxing almost everything he knew out of him, and he resented it even while surrendering. The worst of it was that once she got hold of it, what he had to tell always seemed unimportant. She was a frighteningly digestive woman.

"Doc Rathensberger calls it the violent demise of one more blackguardly scoundrel," Allan said.

"It takes one to know one from what I've heard about Doc Rathensberger," Martha commented.

Allan shrugged. Doc's florid turn of phrase had rather appealed to him.

"Chief Kelley was here this afternoon, corroborating — is that the word?—Jack Shanley's statement."

"What did Jack say?"

"That we were guests there last night . . . who stayed until two thirty, and that we didn't hear anything unusual."

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"I wish we hadn't stayed so late. I'll bet we wouldn't be asked to either if Jack had to ride the damned bus in every day." Shanley drove his own car into New York. "It's enough to kill a man." Allan was talking quickly. It had become a way of his—to cover with patter what he felt to be his slow process of reasoning. Apparently he had not been missed in the half hour or so he had been gone from the Shanley house.

"I don't think either Jack or I mentioned your having fallen asleep in the kitchen."

"Thanks," he said dryly. He could picture Martha lifting that proud chin of hers when Shanley observed: "Your husband's off again." He had tried not to fall asleep last night, though the practice was not uncommon to him. The Shanleys had an open kitchen grate, and a cat that lazed in a chair before it. Allan often retreated to its company when he'd had too much to drink and the talk got up to his ears. After midnight, Martha always seemed at her best, sharp, her humor brittle as ice. Listening to her and Jack—he was a criminal lawyer, and a brilliant one—was like following a tennis match by ear. Along about then, Allan's own humor had as much bounce as a wet rag.

"Does Kelley want my corroboration, too?" he asked.

"I don't suppose it's necessary," Martha said. She took a meat loaf from the oven to baste, but suddenly looked up from it. "Or *did* you hear something, Allan?"

"How could I when I was asleep?" he said, avoiding her eyes.

"So was Anna Rossi—at least, that's her story. She's supposed to have taken a sleeping pill, turned on some music, and gone to sleep by it. She didn't miss her husband until nine o'clock this morning."

Allan, walking past the Rossi house, had heard the music, and he had speculated all day, until he had heard of Rossi's murder, whether or not Tom Sommers might have been coming from there when they met at the crossroad. He had felt on their meeting that Sommers was not his usual dour self, that something had just given him one hell of a lift. And Allan had enjoyed this speculation. For one thing, he liked Anna Rossi. She was a big, affable woman who wore her sexual attractiveness like a cloak to warm a cold world. The vulgar talk around the village asked what Rossi expected: his own infidelities were common knowledge.

Strangely, Allan had met Anna Rossi at the Shanleys'. It was to Betty Shanley's credit, he thought, having Mrs. Rossi in their house. She was less their type than Allan himself. But then, Betty was a jabberer, and Allan supposed Anna Rossi made a good listener—and, he had thought since last night—perhaps a good mistress to Tom

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Sommers. Allan had worked it all out, the relationship between the widower and the attractive woman. It would account for Sommer's aloofness from village gossip; it might even explain his daughter Ellen's getting along so well without a mother.

With the news of Rossi's murder, however, he tried to suppress that whole line of speculation. After all, what would Sommers have been doing at the Rossi house at an hour when Fred Rossi ordinarily would have been coming home from work? Unless . . . Allan shook off the new surmise as unfair and unfounded, and a lot too dangerous to think about a man he didn't know any better than he did Sommers.

Martha eased the meat loaf back into the oven. "I'd say she was the last person in the world to need a sleeping pill, wouldn't you?"

"I don't know," Allan said, trying to catch up with his wife's thinking. "Some of the easiest talking people churn up inside."

"Men find her attractive, don't they?" Martha said.

Allan shrugged.

"Have you ever been in their house?" she persisted.

"What the hell would *I* be doing there?"

Martha laughed. "I don't know. I was just remembering that time you walked her home from the Shanleys'. It was you, wasn't it? Oh, Lord, Allan, I'm not accusing *you* of anything." She was on the verge of genuine mirth.

"I know you're not," he said irritably. He could not help feeling that there was something belittling in her taking him for granted so completely. "But you don't have to treat me like old dog Trey."

Martha sighed, her mirth vanished, and took the ice cubes from the refrigerator. "Will you make us a drink, dear?"

He got the ice bucket, and was gone from the room a few moments, getting the gin and vermouth.

"Allan, I've decided not to go to the Shanleys' again for a while," she said when he returned.

"Oh?"

"You don't really enjoy it, do you?"

"Not much. That's the truth. It's pretty rough for a man to know he's accepted in a place only because his wife's so much brighter than he is. Jack makes no bones about his contempt. And sometimes, when we're there, you don't either."

"Now, that isn't true, Allan. That's just something in your own imagination that pops out when you've had a bad day. I know exactly when it happens—it comes out when your jokes go flat. Those silly wisecracks of yours—when they're bad, they're horrible, Allan. And even when they're good, they have a way of killing a conversation."

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"They must be pretty rotten most of the time considering that the conversation doesn't usually begin to lag till two thirty in the morning."

"I didn't think it was that late," she said.

And so they were diverted from a growing quarrel. He twisted the lemon peels on top of their martinis, then touched his glass to hers.

"To us," Martha said. "I promise, no more late nights." She sipped her drink. "They say Kelley's volunteer police have messed things up again. Remember the drug store man last year?"

Allan nodded. It was closer to two years ago, but the Point True pharmacist had been murdered in his shop, a boxful of change had been taken by his attacker, and, it had been said, the murderer's tracks covered by the local investigators, presumably while investigating. The crime was still unsolved.

"They're saying the same thing's happened again—the temporary police threshing around the woods, looking for clues. As Jack said when he was trying to find him up there—and it seems to have caught on with everybody—'Has anybody here seen Kelley?'"

"When did you see Jack?"

"I didn't. I talked to Betty on the telephone. Allan, you don't think that Jack and I—that there's anything between us, do you?"

"No, I guess not," he said, and such a thought had never stayed very long in his mind, not really. "If there was, you wouldn't talk so much, the two of you."

"That's an interesting observation."

"My God, though, Martha—his own wife never shuts up. How does the man take it?"

"Very easily. Sometimes he listens, sometimes he doesn't." She went to the door and called out, "Jeff, five minutes. Wash up for dinner."

Tom Sommers, getting off the bus at his own gate, felt that his house was empty, and the cold fear got to him that never again would it hold Ellen and himself as it had, happily, for as much of the child's life as she could remember. Even if the Rossi business affected them no further . . .

They had had their breakfast in the usual manner, only a little of the strain between them showing, both seeming to pretend that nothing unusual had happened the evening before. It seemed best, by unspoken mutual consent, to carry this day on like all the others.

Only when he had been about to leave the house and paused to kiss her cheek, as was their custom, had the difference now between them been manifest: he sensed the little stiffening in her body as he came near her—and he had gone no nearer, saying his "Goodbye, my dear," to the back of her head,

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and getting a far too gay to be genuine "Goodbye, papa." How ironic, he had thought then, if he were to become the principal object of her resentment.

But at breakfast time Ellen had not known that Rossi was dead. He was no longer as sure of it then himself as he had been the night before.

In the house he found a note from Ellen: she would soon be home, but in the meantime would he please set the oven at 350 degrees and put in the casserole which Sylvia had left? (Sylvia was the woman who worked for them by the day.) How like any other day's note this one read, and how almighty unlike other days the day itself had been!

And must continue to be. Sommers knew his own moment of decision was almost on him. There were at least two people who would suggest his name to Chief of Police Kelley as a likely suspect for the murder of Rossi.

He lighted and set the stove . . . Allan Ford—who was he, really? What kind of man was he beneath the clown that he played as endlessly as a child at being a grown-up? What did he see when he shaved himself? Someone, Sommers thought, he wasn't very fond of. Yet out of all that heavy-drinking, loose-mouthed crowd who chummed together on the bus, Ford was the only man Sommers cared a second thought about. Ford might not like what he was, but he didn't complain in public about it, or of his job, his clients, or the squandering of his talents in the market place.

But how curious to have met him at the crossroad after the murder! Ford had come down the road from the direction of the tavern, a tavern closed at least an hour by then, as Sommers himself knew. What kind of mission had sent Ford out on the desolate road at such an hour? Ford was not a walker as Sommers himself was by nature.

His wife was at the Shanleys', he'd said — his pretty, bauble-minded wife whom he must have thought he had won by a miracle the day she consented to marry him. That whole crowd, Sommers thought, like most American males, married from the neck down.

The phone rang, jangling every nerve in his body. But it was Ellen. Would he mind terribly if she did not come home for dinner? Cathie Rapp had asked her . . . He minded; and also he did not mind because, he decided, it indicated an answer to a question foremost in his dilemma: he would say now that Ellen did not know he had gone out before last midnight and returned home well after one A.M.

But whether she knew it or not, the fact remained. He had gone up to Rossi's; he had had motive to kill Rossi; and Rossi was dead.

Even Kelley could add that up

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to an indictment, and he would want to quickly, being still under fire for the drug store fiasco. This was the dilemma: if he confided in the police, might he not be merely sacrificing himself to them?

Somewhere in the hour during which he chopped wood, washed, and ate a meager supper, the idea took hold of him that it was a problem needful of a lawyer's advice.

Shanley?

It was hard not to think of him at such a moment, his reputation in criminal law being what it was. Sommers also knew Shanley's reputation as the man who threw the biggest parties in Point True—a boon to the village tradesmen, in fact to the whole village, where he was considered a sort of household god, their man of distinction. An advantage, especially considering Sommer's reputation as a recluse.

There was something else that entered into the rationalization of his calling on Shanley: his was the house where Ford had been last night, and where he might have mentioned meeting Tom Sommers at the crossroad at that most significant hour.

He telephoned, then walked up the hill to see the lawyer.

"A social call—or business?" Shanley asked, giving Sommers a hand as strong as a farmer's. He looked the outdoor man, robust, tanned, healthy.

"Let's call it social, anyway," Mrs. Shanley said, "and we can have a drink together before I go upstairs. I think I know your daughter, Mr. Sommers. A lovely child."

"A child, ha!" Shanley said.

A sudden lump rose to Sommer's throat, and with it a wariness of Shanley. His rationalizations for having come began to weaken.

The lawyer looked at him. "What do you drink?" It was scarcely more than a glance, but Sommers felt his soul to have been penetrated. He tried to tell himself that Shanley was more an actor than a seer.

"Scotch, please."

"I suppose you've heard all about the murder," Betty Shanley said. "That's one thing about living in a small town—you can't miss anything even if you try."

"Not easily," Sommers murmured.

"I suppose you want a stinger, Betty?" her husband said. "Damn fool woman's drink."

"That'd be just lovely, Jack." Mrs. Shanley winked at the visitor. "He always says that, pretending it's on my account he has to make it. But you just notice: he'll make one for himself at the same time."

Sommers managed a smile. Whatever he had expected in Shanley's wife, this woman did not fulfill it. She had probably once been as trim as Allan Ford's wife, but she had gone as soft as a warm chocolate cream, of which she reminded him. She spoke with a

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drawl, and endlessly, not seeming to require any answers.

Sommers felt himself recovering some inner composure in her dribbling sort of chatter. Shanley was at the other end of the big room, concocting the stinger, whatever that was, in an electric mixer. It was not so much what she was that restored him, Sommers thought, but that she was Shanley's wife. She made a least common denominator to which he could reduce Shanley himself, and in those terms the famous lawyer was not quite so formidable.

Mrs. Shanley was soon talking to Sommers as if he were an intimate. "We've got a friend who's awfully fond of Mrs. Rossi. I've often thought he might—well, kind of visit her on the sly sometimes. I wouldn't say anything more than that, him being a friend and all, and a married gentleman. That'd be gossip."

"Did she have visitors?" Sommers surprised himself, putting the question that way, or, indeed, at all.

"I'd say Anna accepted visitors sometimes, Jack wouldn't you?" Mrs. Shanley asked innocently, but of course understanding perfectly.

"I wouldn't say." Shanley passed the drinks. "Not your married gentleman, anyway. He doesn't have the guts to carry on an affair."

"Does it take guts?" Mrs. Shanley seemed to be musing aloud.

"It would take guts to kill her husband, at any rate," Shanley said, "and I don't think our Allan has 'em."

"Besides," Mrs. Shanley said, "he *was* here till two thirty."

Sommers kept his eyes on the glass while he thought about that. This, he told himself, was what he had really come to hear. He was inclined to agree that it would be hard to see Allan Ford as a murderer, although he disliked Shanley just a little more for the way he had said it. And nobody here seemed to have known Ford was out of the house at the crucial time! It must make a man feel strange—to make so inconspicuous an absence! No wonder Ford's hand had come out of the darkness in search of a friend.

Shanley sat down opposite him. "Did you know Rossi?"

"No." The word seemed to crack in Sommer's throat.

The lawyer's eyes were probing. "But you must have heard certain things about him?"

"There was gossip, you know," Mrs. Shanley put in.

"I keep pretty much to myself," Sommers said, retreating even further. "Because of Ellen, and by choice."

"Ellen, of course," Betty Shanley said. "I was trying to remember your daughter's name."

"Rossi was several kinds of scum," Shanley said. "For my part I don't believe he was clobbered to death over a satchel of money."

"They found the satchel in one of

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the abandoned well-diggings," his wife said, "and the money too—the change was scattered all over the woods."

"A killer with a hole in his pocket and a police chief with a hole in his head," said the lawyer.

"'Has anybody here seen Kelley?'," Mrs. Shanley drawled chidingly, and looked at her husband. "Oh, Jack, what a thing to say about a man!"

"Poor fool—he deserves it." Shanley shook with silent laughter.

Sommers took a mouthful of his drink. He was afraid to drink it, and afraid not to, so precarious was his position. He did not know what the joke was about, but he was sure he would not like it. This was the house of a despoiler. Shanley would defend the devil no more cynically than he would the innocent. And he was a leech; he seemed to suck at the very substance of a man's soul while bantering him with words.

"Now you didn't come to see me about the Rossi affair, Sommers, did you?" the lawyer said blandly. He turned to his wife. "Why don't you take the shaker, Betty, and go along upstairs now?"

Mrs. Shanley got up while she spoke. "Where I come from, the gentleman waits for the lady to retire. The trouble with you, Jack . . ."

"I'm not a gentleman," Shanley finished her sentence.

"No need to go, Mrs. Shanley." Sommers got clumsily to his feet. "On my account, at least. It was only about—Kelley that I came to see you." He hoped fervently that this sudden lie would serve to get him out of here. And poor Kelley would scarcely feel another kick. "If this murder goes unsolved, I think we should abolish the Point True police force and consolidate with the township."

"You think so?" Shanley sat where he was for a moment, smiling, scrutinizing his visitor. Then he got up and without another word strode across to the adjoining room, a library or study.

Mrs. Shanley lingered, a little look of apprehension on her face. When the lawyer returned, she said, "Now, Jack, it's just coincidence."

"Go upstairs," he said. And to Sommers, "Here's something you may want to sign, if that's the way you feel."

Sommers glanced at the petition thrust into his hands. It outlined the same idea he had just proposed. "Yes," he said. "I shall certainly want to sign it." He could feel the pulse throbbing at his right temple.

"I drew this up after the last meeting of the Village Board," Shanley said, "two weeks ago."

"You can see how far out of touch I am then. I thought I'd come up with a new idea." He supposed now he must have overheard talk on the bus which his subconscious dredged up when he

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needed an excuse to get away. "I'm sorry to have troubled you."

"Good night, Mr. Sommers," Shanley's wife said from the stairway. "I hope you'll come again and bring your charming daughter. I adore teen-aged girls. And I'm sure Jack does, don't you, honey?"

Shanley did not answer. He stood smiling, aloof and tolerant, until she was out of sight. Then he said, imitating his wife's drawl: "Teen-aged girls *can* be very enticing."

Sommers went, almost blindly to the door. He suspected now that Shanley was deliberately provoking him. Or was it all his imagination, the nightmare inside a nightmare? Shanley might only be mocking his own wife.

"Sommers," Shanley said when they were both outdoors. "It's not necessary that you like your lawyer, you know. You just have to hold his advocacy in some regard."

"I'll remember that," Sommers murmured.

"And something else—I don't like being played for a sucker, but I won't ever turn down a Point True man who comes to me for counsel."

Chief Phil Kelley knew most of the things being said about him in the village. He knew how shaky his job was, and he also knew he had five kids to support, the oldest one in high school, the youngest—and last, please God—in rompers.

He knew the parallel the villagers were drawing between Rossi's murder and the druggist's, and he knew that some of the loudest talkers were aware that the comparison was neither fair nor accurate. But who ever worried about being fair to a policeman? In the case of the druggist, somebody in the police service had deliberately messed up the clues, somebody who had hated the druggist's guts; Kelley knew it, he even knew who the deputy was, but he had no proof. And in the end he could not even fire the deputy: the Village Board had turned down his recommendation on the basis of insufficient grounds.

In the Rossi case, his deputies were not plowing under any possible clues. The little black money satchel had turned up in an abandoned well-drilling. It was not unreasonable to hope the weapon might also turn up in an old well. That meant a difficult search: the abandoned diggings were not all dry.

One of the favorite jokes about Kelley—and he knew this one, too—was on the way he had of sitting in the patrol car outside Rossi's Tavern and clocking speeders on the Upper Road. How else was a cop to make a living in Point True, they grinned. But the fact of the situation was that too many kids from the township high school used Rossi's as a rendezvous, and Kelley felt that the presence of the patrol car there would turn some of the youngsters away.

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Now and then, too, he was in the habit of walking into the place—to get a cup of coffee, or more often, to call his wife. Thus, without making an issue of it, he watched for licensing violations. And it was in this unostentatious fashion that he had learned of Rossi and his clientele, a knowledge that he hoped fervently would serve him now. He knew, for example, that Rossi was fond, far too fond, of young girls—though never could a complaint be got against him.

But that evening, when it was reported to him by a deputy that Tom Sommers had just paid a visit to the lawyer, Shanley, Kelley thought about Ellen Sommers. He had never seen her at the tavern. But that did not prove anything.

Kelley went into his dining room after getting the report. It seemed a shame to disturb so perfect a picture: four of his children doing homework at once. He asked his daughter to come into the kitchen for a minute.

"Do you know if Ellen Sommers has a boy friend?"

"No, I don't," she said—in a way Kelley understood to mean she did know but wasn't telling.

"I don't think her father would know it if she had one," the policeman said, "him being as strict a man as he is."

"He isn't as fierce as he looks," his daughter said. "That's just his way. I think he's handsome."

"Mr. Sommers?" Kelley said, no longer understanding.

The girl said, "Now, don't be jealous, daddy!"

"Oh, for heaven's sake! Go back to your homework."

He was putting on his coat, however, when she came out to the hall. "Daddy, I'll tell you, only you mustn't say where you heard it. Ellen's just mad about Ted Green. It's awful really, because Ted makes fun of her. I mean, about how she was brought up, so strict, and she won't drink or anything. But Ellen's so mad in love, she doesn't care what he says."

"Thanks. I won't say anything. Good night, my dear." Kelley kissed her forehead. "Tell mother not to wait up for me."

Ted Green was a regular customer at Rossi's Tavern.

Sommers, coming down into the village after his nerve-wracking half hour at the Shanley house, wanted more than anything else to see his daughter. It was after nine o'clock, so he called at the Rapps' and asked Ellen if she would like to walk home with him.

They walked block after block in painful silence. Ellen, he noticed, stayed carefully apart from him.

"I wish to God your mother were alive now," he blurted out finally, as helpless as a child himself.

"I wish I was dead," the girl said, the morning's pretense of high spirits vanishing.

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"Why?"

Ellen did not answer.

"Something like your experience happens to most people, Ellen, at one time or other. It's the sad truth about human beings. And you know he's dead, don't you?"

"It isn't him. It's you. I don't want to talk about it even."

"But I do, Ellen. Whatever it is you're accusing me of, I must know what it is."

"I wish I hadn't told you what happened! Oh, how I wish I hadn't." The child began to cry. She was a wreath of a girl, all the more a child for crowding a womanhood she did not understand. "You made me feel so filthy."

"Child dearest, I meant just the opposite, whatever I may have said. I was talking about Rossi . . ."

"Stop talking about him, papa! He's dead and I don't care. I'm even glad. Only I don't want to talk about him—not ever!"

After a few long seconds Sommers said quietly, "Do you want to talk about Ted Green?"

"Oh, no—no!" she said, even more in agony.

"What did I say, Ellen? What did I do? I tried to tell you that all men were not like him—not like Rossi."

"I know that's what you said. And you proved it! You said you hadn't seen a woman since my mother."

"Is that what it is—my saying that?"

The girl didn't answer. She averted her face and began to weep softly. Sometimes her feet stumbled, but she caught herself and still stayed apart from him.

Yes, Sommers thought, he could remember saying that: so righteous, so wrongly righteous, and after she had brought the whole agonizing story to him, even confessing her humiliation in waiting for a boy . . . He cleared his throat. "I wish I could explain something that happened to me last night after you had gone to bed. I wanted to kill him . . ."

"He doesn't matter, papa."

"I know that, I believe it, too." He wanted desperately now to communicate the good thing that had happened to him. But he knew even while he spoke that the telling of it was merely a diversion. Nevertheless he plunged ahead. "Let me try to tell you this, Ellen. I won't go into where or how, and I don't believe in ghosts, but there was an instant last night when I felt your mother as close to me as she ever was alive."

In the light of an approaching car he glimpsed the girl's face. What he was trying to say was not getting through to her at all. "Ellen!"

When she looked at him he forced himself, flatly, simply, to tell a very personal truth—a truth which related to her agony, not to his mystical experience. "It's not that I haven't wanted to see another

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woman. Sometimes I've wanted to very much."

Her tears welled abundantly, along with little choking sobs. He had touched the very core of her misery. "Oh, papa, isn't it awful, what happens inside us?"

He dared then to take her hand in his and squeeze it gently. Her response was quick and fierce, a clutch of his hand and then the freeing of it. She was too diffident for anything demonstrative.

"It isn't awful at all," he said. "Sometimes it's wonderful. What is awful is not being able to understand it or talk about it."

Chief Kelley did not conceal his car. But he parked it around the corner from the Sommers' house, not wanting to call the neighbors' attention to it. Then he waited on the porch. It was such a clear night he could see the lights across the river doubled by their reflection in the water. He spoke as soon as father and daughter turned in the gate.

Sommers hesitated, then came on. "Good evening, Kelley. Ellen, I think it would be better if you go up to your room."

"I'd like to talk to Ellen too, Mr. Sommers."

He came as quickly to the point as he could, accepting only the hospitality of a chair in the living room. "I want to ask you, Ellen, when was the last time you were in Rossi's Tavern?"

It was an unfair approach, but both father and daughter responded.

"I was only . . ."

"Ellen does not patronize taverns," Sommers said over the girl's words.

Kelley was not turned aside. "My daughter isn't allowed to either, Mr. Sommers, but I got the feeling that if there was somebody in one she wanted very much to be with, she might just make an exception to the rules I lay down. Ellen, speak for yourself."

"Yes, sir."

"When?"

"Yesterday evening. Only the person I wanted to see wasn't there."

"Who was there?"

The girl's voice was very low, and her face flushed. Sommers sat pale and tense, working his ha

"Just Mr. Rossi, sir—at firs asked him if he'd seen this person I was looking for, and he said no, but that I could wait. He expected him."

"You may as well tell me the whole story," Kelley said.

"The man got her in a corner and made advances to her," Sommers interrupted. The veins were standing out on his forehead.

"Nothing else happened, Mr. Kelley," Ellen said. "I tried to run away but he'd locked the door. You see, he'd got me to go into the back room to wait so that I wouldn't actually be in the tavern.

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And then—I don't quite know how it happened. But Mrs. Rossi came in through the rear door. She had a key, I think. But I just ran. She was shouting at him in Italian. But I ran all the way down through the woods home."

"And told your father?"

She nodded.

"I don't suppose there's much point now in asking why you didn't come to me about it, Mr. Sommers?"

"If you can't keep youngsters like Green out of places like that, what could I expect? This isn't the first time something like this has happened."

"I know it's not, but I need a signed complaint before I can do anything." The policeman paused, thinking about it. "Can you tell me another time something like this happened?"

"No, but I'd suggest you talk to Shanley on the hill about it."

"I just might," Kelley said. There was no one he cared less to talk to. Shanley had the arrogance of Satan. "Is that what you went to see him about?"

"No—it was on a private matter."

"I see." Kelley turned to Ellen who was making pellets in her lap out of damp kleenex. "Who else did you talk to besides your father?"

"Nobody. I swear it, Mr. Kelley."

"Didn't Ted Green want to know why you didn't meet him?"

The girl spoke almost in a whisper. "He didn't know I was going to be there, Mr. Kelley. It wasn't actually a date, you see."

"Isn't that enough, Kelley?" Sommers demanded.

"From Ellen? I think so, Mr. Sommers, and I guess if it's all right with you, the two of us could do our talking down in the village."

He purposely avoided mentioning the stationhouse, and Sommers threw him a grateful look. Outdoors, the policeman said, "Just what did you do about it, Sommers?"

"Nothing in the end. But I'm not sure I can prove it."

The policeman opened the car door. "Do you have such little confidence in the Point True police that you feel you've got to prove your innocence?"

"I don't have much confidence, that's the truth," Sommers admitted. He seemed to be examining his hands by the light of the dashboard. "And maybe I'm a little ashamed of my innocence."

They drove in silence to the station, and there, waiting at the desk was Allan Ford.

Sommers smiled faintly. "Another crossroad?"

"The light's a lot better down here. You can tell a friend from a stranger. Have you told him about meeting me?"

"No. I assumed you had."

Ford shook his head.

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"Sometimes I'm just lucky," the policeman said with a trace of bitterness. "Now you can both tell me." He took a cluster of messages from the desk officer and motioned Ford and Sommers to sit down while he glanced through them.

"About one o'clock this morning," Ford started, "Sommers and I met at where Cemetery Road crosses the Upper Road."

"You were not at Shanley's?" Kelley said, looking up.

"I was, but sometimes when I can't keep awake, I go out for a walk. If Rossi's Tavern is open, I have a quick beer. I've done it before and never been missed."

"Shanley wouldn't miss his own wife, he's that self-centered," the policeman said.

"Especially his wife," Sommers said.

Ford looked at him. "You know them?"

"Only from a half-hour's observation tonight."

"Let's take care of last night first," Kelley said. "Go on, Ford."

"The tavern was closed when I got there, so I turned around and started back to the Shanley house. That's when I met Sommers coming down Cemetery Road."

"And where were you coming from, Mr. Sommers?" Kelley asked quietly.

Sommers drew a deep breath. "The cemetery. I'll tell you the truth, Kelley, and you'll have to make out of it what you will. I did go to Rossi's Tavern. I waited until Ellen went to bed, and it must have been just before twelve when I got there, but the place was already closed. I had a .32 revolver in my pocket and I intended to kill him. At least, that's what I thought I intended to do." He glanced at Ford. "He had — molested my daughter."

Ford did not say anything.

"I ran most of the way to Rossi's house then, down the Upper Road and up Cemetery Hill. There was a light on, and music playing. I hammered on the door, but no one came. I went round to the back and did the same thing. Still no one answered. Then, just standing there . . ." He shrugged. "A little mad, perhaps—I realized how close I was to the cemetery, to Ellen's mother's grave."

Sommers entwined, then free[illegible] his long, thin fingers—too deli[illegible] by far, Kelley thought, for the brutal bludgeoning that had killed Rossi.

"I was coming down from there when I met Allan Ford. Well, first I had gone into the cemetery. I can't tell you what happened to me. It was a wild night . . . an extraordinary experience." He got up and moved about like someone long pent up, a prisoner. "I don't know how to tell it. It was like being in communication with the spirit world. Maybe it's just—that I didn't want to kill. But I tell you now, I think I had the feeling that

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Rossi was dead. Something, somehow, made that known to me."

There was silence for a few seconds, except for the police radio rumbling indistinct alarms behind them.

"I can believe that," Ford said. "I saw him, Chief. I shook hands with him, just passing, and I tell you there was something different about him, something electric."

"It was a spooky night, I know that myself," the policeman said, "I heard the music at Rossi's, too," Ford said.

"But neither of you heard anything you'd connect with the murder?"

"Not unless it was the music playing at the Rossi house," Ford said.

"I'll say this," Sommers offered. "I would swear Shanley knew to- what had happened to my daughter. And there were only two people from whom he could have found it out—Rossi or Rossi's wife. Unless she told you today and you passed it on to him?"

Kelley shook his head. "Did he *say* he knew it?"

Disappointingly, Sommers admitted that he had not said it in so many words.

"But look," Ford said, "unless my wife and Betty Shanley can back him up—doesn't Shanley's alibi for last night disappear when he's no longer alibi-ing me?"

"It does," the policeman said.

"But Shanley and Anna Rossi," Ford said tentatively. "It just doesn't seem right."

"His devotion to his wife is no deterrent," Sommers said.

"Maybe not," Ford said, weakening a little, "and by God, Betty Shanley hints at something like it every once in a while. But why would Shanley kill Rossi? If Rossi did know about him and his wife, I don't think he'd have made much fuss over it, considering his own infidelities. He might even have bragged about it."

"Isn't that just possibly your answer?" Sommers said quietly. "Do you think Shanley would tolerate gossip in the village about him and —and someone he'd consider a peasant woman?"

"Why not?" Ford said after a moment. "I'll tell you the truth, I don't see why not."

"You thing it would please his ego," Sommers said, "for the village to know that he had so—sexy—a mistress?"

His hesitation on the word made both Kelley and Ford turn suddenly to look at him. "You know her too, then?" Kelley said.

"Only from observation," Sommers said, "though I've sometimes wished it otherwise." He lifted his head. "I'm a walker in the hills, and I've watched her work in the garden, among the vineyards she's coaxing to grow up there. I've even heard her singing, and I've felt she would be a wonderful woman to— to know."

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"Me, too," Ford said. "She's a pleasure to hear and to look at, and I've always liked her, the times I've met her."

Kelley drew his legs slowly beneath him, dreading to get up. "I guess that's how we all feel about Anna Rossi. You gentlemen have made me sure that I'm right. I'm not even going to say thank you. It's a funny thing: I think I'm going to prove to all you people now that I'm a pretty good cop, and in the end it'll probably lose me my job. Nobody's going to pin a medal on me for arresting Anna Rossi for the murder of her husband."

Anna Rossi did not even have a second sleeping pill to indicate there might have been a first one; she did not have a prescription, or a box or bottle, to show the policeman. Music had been her best friend for years, she said, like somebody in the house worth having there. It was her natural accessory in a crude plot that night. The weapon was a stone hammer—the peculiar shape of which had been clearly indicated in the photographs of the victim's skull. She said she would try to remember in which old well she had dropped it. Only vaguely had she planned to have the murder seem like an older one in the village below. The comparison had been drawn by the villagers. Actually she was not concerned whether she was discovered or not.

"I had to kill a pig," she said with terrifying matter-of-factness. "After all, it was my pig."

Sommers and Ford exchanged the briefest of greetings the morning after Mrs. Rossi's arraignment. They would both be witnesses for the defense. And both agreed she had a good lawyer in Shanley.

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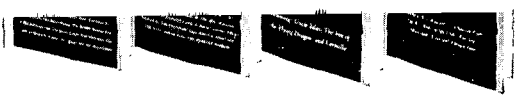

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